



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 W. Ocean Boulevard Long Beach, California 90802 562-570-6194 FAX 562-570-6068

November 21, 2006

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Recommendation to receive supporting documentation into the record and conclude the hearing; adopt an urgency ordinance extending a temporary limitation (moratorium) of certain car sales businesses on Long Beach Boulevard between Willow Street and Anaheim Street (PD-29) for an additional year; and declare the ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1 & 6)

## DISCUSSION

On November 1, 2005, the City Council adopted the moratorium described above. The prohibition was in place until November 1, 2006, or until an amendment to the Zoning Regulations related to these uses is implemented.

The purpose of the moratorium was to address concerns regarding the proliferation of used automobile sales businesses, poor appearance, lack of property maintenance along the Long Beach Boulevard corridor, and the need for a uniform set of standards to regulate future uses. Staff has presented draft regulations to the Planning Commission. The Planning Commission requested that additional provisions be added which has delayed the item from being forwarded to City Council. Staff requests an extension to the moratorium of one (1) year, but anticipates that it will be resolved in less time.

The moratorium would remain in effect for up to one year while the Planning Commission and the Department of Planning and Building continue to undertake the study necessary to determine if the current zoning regulations relating to this issue require modification or amendment. The moratorium will have the effect of maintaining the status quo during the time that the zoning issues are under study.

As presented, the proposed Ordinance would be adopted as an "urgency ordinance" that would become effective immediately upon adoption. The purpose of proceeding on an "urgency" basis is to facilitate the status quo and to prevent new building or development or business license permits from being issued during the time period normally required for the passage of a "non-urgency" ordinance.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



SUZANNE FRICK  
DIRECTOR OF PLANNING AND BUILDING

SF:GC:lh

Attachments:

- 1) Ordinance Extending the Moratorium on used automobile sales businesses within the Long Beach Boulevard Planned Development District (PD-29)

APPROVED:



GERALD R. MILLER  
CITY MANAGER

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1 ORDINANCE NO.  
2

3 AN ORDINANCE OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH EXTENDING THE TEMPORARY  
5 LIMITATION OF CERTAIN USED AUTOMOBILE SALES  
6 BUSINESSES ON LONG BEACH BOULEVARD BETWEEN  
7 WILLOW STREET AND ANAHEIM STREET; DECLARING  
8 THE URGENCY THEREOF; AND DECLARING THAT THIS  
9 ORDINANCE SHALL TAKE EFFECT IMMEDIATELY  
10

11 The City Council of the City of Long Beach ordains as follows:  
12

13 WHEREAS, Ordinance No. ORD-05-0040 was adopted on November 1,  
14 2005, placing a temporary limitation on the construction or development of certain used  
15 automobile sales businesses on Long Beach Boulevard between Willow Street and  
16 Anaheim Street; and

17 WHEREAS, Planning staff and the Planning Commission are continuing  
18 to study potential amendments to the zoning regulations of the City related to used  
19 automobile sales businesses on Long Beach Boulevard between Willow Street and  
20 Anaheim Street.

21 Section 1. Purpose and Findings. At the direction of the City Council, the  
22 Department of Planning and Building and the Planning Commission are currently  
23 studying potential amendments to the Zoning Regulations of the City of Long Beach  
24 relating to the proliferation of used automobile sales dealerships on Long Beach  
25 Boulevard between Willow Street on the north and Anaheim Street on the south.  
26 Concerned citizens and other individuals, have expressed that changes to existing  
27 zoning regulations are desired and that continued development of used automobile  
28 sales dealerships during the pendency of said studies may defeat the effectiveness of

1 regulations ultimately adopted as a result of the current study and review. The City  
2 Council specifically finds that the existing zoning and building regulations regulating  
3 used automobile sales in the above described geographic area of the City permit one or  
4 more uses, development standards, or construction activities which are, or may be, in  
5 conflict with the zoning or building regulations that are or will be studied by the  
6 Department of Planning and Building and the Planning Commission pursuant to the City  
7 Council's direction.

8           Sec. 2. Estimated Time for Completion of Study. It is estimated that the  
9 additional study or studies undertaken in connection with the adoption of this interim  
10 ordinance shall take approximately one year to complete.

11           Sec. 3. Prohibition. No application for any land use entitlement, building  
12 permit, construction permit, conditional use permit, administrative use permit, variance,  
13 or business license of any kind, shall be approved, nor shall any such permit or  
14 entitlement be issued, for any activity that would result in the establishment of a used  
15 automobile sales dealership business or similar operation on Long Beach Boulevard  
16 between Willow Street and Anaheim Street prior to November 1, 2007, or the effective  
17 date of an ordinance permanently adopting zoning or building regulations relating to the  
18 aforementioned subject, adopted after the adoption of this ordinance, whichever occurs  
19 first.

20           Sec. 4. Declaration of Urgency. This ordinance is an emergency  
21 measure, and it is urgently required for the reason that, pending completion of the  
22 necessary planning and zoning studies, and a determination relative to the potential  
23 need to amend the Zoning regulations, it is necessary to limit construction or  
24 development of used automobile sales dealerships, businesses or similar operations in  
25 order to avoid the adverse impacts associated with operations that might be  
26 inconsistent with the pending revisions to the zoning regulations of the City.

27           Sec. 5. This ordinance is an emergency ordinance duly adopted by the  
28 City Council by a vote of five of its members and shall take effect immediately. The City

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1 Clerk shall certify to a separate roll call and vote on the question of the emergency of  
2 this ordinance and to its passage by the vote of five members of the City Council of the  
3 City of Long Beach, and cause the same to be posted in three conspicuous places in  
4 the City of Long Beach.

5 This ordinance shall also be adopted by the City Council as a regular  
6 ordinance, to the end that in the event of any defect or invalidity in connection with the  
7 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless,  
8 be and become effective on the thirty-first day after it is approved by the Mayor. The  
9 City Clerk shall certify to the passage of this ordinance by the City Council of the City of  
10 Long Beach and shall cause the same to be posted in three conspicuous places in the  
11 City of Long Beach.

12 I hereby certify that on a separate roll call and vote which was taken by  
13 the City Council of the City of Long Beach upon the question of emergency of this  
14 ordinance at its meeting of \_\_\_\_\_, 2006, the ordinance was  
15 declared to be an emergency by the following vote:

16	Ayes:	Councilmembers:	_____
17			_____
18			_____
19	Noes:	Councilmembers:	_____
20			_____
21	Absent:	Councilmembers:	_____
22			_____

23  
24 //  
25 //

26  
27  
28

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1 I further certify that thereafter, at the same meeting, upon a roll call and  
2 vote on adoption of the ordinance, it was adopted by the City Council of the City of  
3 Long Beach by the following vote:

4 Ayes: Councilmembers: \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_

7 Noes: Councilmembers: \_\_\_\_\_  
8 \_\_\_\_\_

9 Absent: Councilmembers: \_\_\_\_\_  
10 \_\_\_\_\_

11  
12 I further certify that the foregoing ordinance was thereafter adopted on  
13 final reading by the City Council of the City of Long Beach at its meeting of  
14 \_\_\_\_\_, 2006, by the following vote:

15 Ayes: Councilmembers: \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_

18 Noes: Councilmembers: \_\_\_\_\_  
19 \_\_\_\_\_

20 Absent: Councilmembers: \_\_\_\_\_  
21 \_\_\_\_\_

22  
23 \_\_\_\_\_ Clerk

24  
25 Approved: \_\_\_\_\_  
26 (Date) Mayor