

ORDINANCE NO. ORD-06-0053

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

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

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

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

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

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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 November 21, 2006, the ordinance was  
15 declared to be an emergency by the following vote:

16	Ayes:	Councilmembers:	<u>B. Lowenthal, S. Lowenthal,</u>
17			<u>DeLong, O'Donnell, Richardson,</u>
18			<u>Lerch.</u>
19	Noes:	Councilmembers:	<u>None.</u>
20			<u></u>
21	Absent:	Councilmembers:	<u>Schipske, Reyes, Uranga, Gabelich.</u>
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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: B. Lowenthal, S. Lowenthal,  
5 DeLong, O'Donnell, Richardson,  
6 Lerch.

7 Noes: Councilmembers: None.

8  
9 Absent: Councilmembers: Schipske, Reyes Uranga, Gabelich.  
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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 \_\_\_\_\_  
24 Clerk

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

27 MJM:kjm 11/13/06 #06-05760  
28 L:\APPS\CtyLaw32\WPDOCS\D007\P006\00096486.WPD