

ORDINANCE NO. ORD-05-0040

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH RELATING TO THE TEMPORARY LIMITATION OF CERTAIN USED AUTOMOBILE SALES BUSINESSES ON LONG BEACH BOULEVARD BETWEEN WILLOW STREET AND ANAHEIM STREET

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

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

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

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1 Sec. 3. Prohibition. No application for any land use entitlement, building
2 permit, construction permit, conditional use permit, administrative use permit, or
3 variance, or business license of any kind, shall be approved, nor shall any such permit
4 or entitlement be issued, for any activity that would result in the establishment of a used
5 automobile sales dealership business or similar operation on Long Beach Boulevard
6 between Willow Street and Anaheim Street prior to November 1, 2006, or the effective
7 date of an ordinance permanently adopting zoning or building regulations relating to the
8 aforementioned subject, adopted after the adoption of this ordinance, whichever occurs
9 first.

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

17 Sec. 5. This ordinance is an emergency ordinance duly adopted by the
18 City Council by a vote of five of its members and shall take effect immediately. The City
19 Clerk shall certify to a separate roll call and vote on the question of the emergency of
20 this ordinance and to its passage by the vote of five members of the City Council of the
21 City of Long Beach, and cause the same to be posted in three conspicuous places in
22 the City of Long Beach.

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

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City of Long Beach.

I hereby certify that on a separate roll call and vote which was taken by the City Council of the City of Long Beach upon the question of emergency of this ordinance at its meeting of November 1, 2005, the ordinance was declared to be an emergency by the following vote:

Ayes:	Councilmembers:	Lowenthal, Baker, O'Donnell,
		Kell, Richardson, Reyes Uranga,
		Gabelich, Lerch.
Noes:	Councilmembers:	None.
Absent:	Councilmembers:	Colonna.

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

Ayes:	Councilmembers:	Lowenthal, Baker, O'Donnell,
		Kell, Richardson, Reyes Uranga,
		Gabelich, Lerch.
Noes:	Councilmembers:	None.
Absent:	Councilmembers:	Colonna.

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I further certify that the foregoing ordinance was thereafter adopted on
final reading by the City Council of the City of Long Beach at its meeting of
_____, 2005, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Clerk

Approved: _____
(Date)

Mayor

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