ORDINANCE NO. 1682

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, EXTENDING A MORATORIUM PROHIBITING NEW CONSTRUCTION OR EXPANSION OF COMMERCIAL PROPERTY IN THE DOWNTOWN PORTION OF AREA DISTRICT III UNDER CERTAIN CIRCUMSTANCES IN THE CITY, AS AMENDED, PENDING THE STUDY AND CONSIDERATION BY THE CITY COUNCIL OF POSSIBLE AMENDMENTS TO THE ZONING ORDINANCE

WHEREAS, pursuant to the provisions of Section 65858 of the Government Code of the State of California, on August 10, 1983, the City Council adopted Ordinance No. 1656 as an interim zoning ordinance prohibiting new construction or expansion of commercial property in the downtown portion of Area District III in excess of 20,000 square feet of improvements or in excess of a 1:1 lot area to improvement ratio, pending study and consideration by the City Council of possible amendments to the zoning ordinance; and

WHEREAS, after giving notice pursuant to Section 65856 of the Government Code and holding a public hearing, the City Council adopted Ordinance No. 1660 on September 20, 1983, which extended the moratorium contained in Ordinance No. 1656 for a period of six months; and

WHEREAS, on January 3, 1984, the City Council amended Ordinance No. 1656, exempting from said moratorium those projects for which a valid Conditional Use Permit had been issued, a building permit applied for, and plans submitted for plan check prior to said moratorium; and

WHEREAS, after giving notice pursuant to Section 65856 of the Government Code and holding a public hearing, the City Council adopted Ordinance No. 1671 on March 6, 1984, which extended the moratorium contained in Ordinance No. 1656 for a period of three months and 10 days (June 30, 1984).

WHEREAS, on June 19, 1984, after giving notice pursuant to Section 65856 of the Government Code, the City

Cpuncil held a public hearing for the purpose of considering extending the moratorium for 45 days through August 15, 1984; and

WHEREAS, the City Council determined that there is a current and immediate threat to the public health, safety or welfare in the form of proposed developments in the Downtown area of District III in excess of a 1:1 lot area improvement ratio and that the approval of any such development or the issuance of building permits therefor would result in a threat to public peace, health, safety or welfare; and

WHEREAS, the Planning Commission and the City Council have not completed their study of the matter;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The moratorium contained in Ordinance No. 1656, as amended, is hereby extended for a period of 45 days (through August 15, 1984).

SECTION 2. For purposes of this ordinance, the Downtown portion of Area District III shall be defined as that area encompassed by Valley-Ardmore on the east, 15th Street on the north, 8th Street on the south, and the Strand on the west.

SECTION 3. This ordinance is adopted as an urgency measure to protect the public safety, health or welfare, and shall take effect upon its adoption and shall continue in effect for a period of no longer than 45 days; provided, however, that after public notice pursuant to Section 65856 of the Government Code and a public hearing, the Council may extend the effectiveness of this ordinance for additional periods as permitted by law.

SECTION 4. The City Council expressly finds that there is a current and immediate threat to the public health,

safety or welfare in the form of proposed developments in the Downtown area of District III in excess of 20,000 square feet of improvements or in excess of the 1:1 lot area to improvement ratio and that the approval of any such development or the issuance of building permits therefor would result in a threat to public peace, health, safety or welfare.

SECTION 5. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and shall within fifteen days from the passage and adoption thereof cause the sdame to be published once in the Beach Reporter, a weekly newspaper of general circulation, published and circulated within said City of Manhattan Beach and which is hereby designated for that purpose.

PASSED, APPROVED and ADOPTED this 19th day of June,

1984.

19 | Ayes:

Archuletta, Dennis, Holmes, Walker, and Mayor Lesser

Noes: Absent:

None

Abstain:

ATTEST:

Clerk

None

None

Mayor, City of Manhattan Beach, California

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