ORDINANCE NO. 22-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, TO APPROVE ZONING CODE AMENDMENT 2021-001 (ZCA-2021-001) TO AMEND CHAPTER 12 (PLANNING AND ZONING) OF THE INGLEWOOD MUNICIPAL CODE TO MODIFY REGULATIONS FOR SMOKE SHOPS.

(Revisions are underlined. Strike through lines represent deleted text.)

WHEREAS, on July 7, 2021 the Planning Commission conducted a public hearing for the matter and approved Resolution No. ___ entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INGLEWOOD, CALIFORNIA, APPROVING AND RECOMMENDING TO THE CITY COUNCIL FOR APPROVAL OF ZONING CODE AMENDMENT ZCA 2021-001 TO AMEND CHAPTER 12 OF THE INGLEWOOD MUNICIPAL CODE (IMC) TO ESTABLISH REGULATIONS FOR SMOKE SHOPS.

(Zoning Code Amendment ZCA-2021-001)

WHEREAS, On September 21, the City Council scheduled a public hearing for October 5, 2021; and,

WHEREAS, notice of the time and place of the hearing was given as required by law and,

WHEREAS, the City Council afforded all persons interested in the matter of the proposed amendments to the Inglewood Municipal Code, or in any matter or subject related thereto, an opportunity to address the City Council and be
heard and to submit any testimony or evidence in favor or against the proposed
Code amendments; and,

WHEREAS, after taking public testimony and considering the issues, the
City Council determined that certain changes specified herein, should be made
to the text of Articles 1 and 6 of Chapter 12 of the Inglewood Municipal Code;
and,

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

SECTION 1.

1. That the proposed Smoke Shop amendment supports the intent of the
   Inglewood General Plan in that it:
   
a. Provides for the orderly development and redevelopment of the city
      while preserving a measure of diversity among its parts because the
      Code amendment will allow for the city to regulate the proliferation of
      Smoke Shops in the City of Inglewood. Additionally, the SUP
      requirement will allow these uses to be adequately conditioned.
   b. Helps promote economic development and employment opportunities
      for the City’s residents by responding to changing economic conditions
      because the code amendment will provide distance requirements that
      will restrict the number of new Smoke Shops and allow a greater
      diversity of new commercial uses.

2. The changes to the text of Chapter 12 regarding Smoke Shops does not
   constitute an establishment of unique standards, offering special privilege
   to a particular individual or group of individuals because the code
   amendment will apply citywide.

3. That the proposed amendment to establish regulations for Smoke Shops
   is exempt from further review under the California Environmental
   Quality Act (CEQA), therefore a notice of exemption (EA-CE-2021-020)
   has been prepared.
SECTION 2.

Section 12-1.106.1 (Smoke Shop) is hereby added to Chapter 12 of the Inglewood Municipal Code to read as follows:

Section 12-1.106.1. Smoke Shop

"Smoke Shop" shall mean any business with 25 percent or more of the retail total floor area allotted to the display and sale of tobacco products or tobacco paraphernalia for off-site consumption.

SECTION 3.

The text of Article 7 ("C-2" General Commercial Zone Regulations), Section 12-24. (Permitted Uses) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:

Section 12-24. C-2 Zone Permitted Uses.

(28) Smoke Shops. New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.

SECTION 4.

The text of Article 10 ("C-R" Commercial Recreation Zone), Section 12-27 (Permitted Uses) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:

Section 12-27. Permitted Uses.

(A) Permitted uses shall be as identified in the Downtown Inglewood and Fairview Heights Transit Oriented Development Plan as well as the following:

1. Smoke Shops. New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility and are subject to Special Use Permit approval.
SECTION 5.

The text of Article 10.2 ("MU-1" Mixed-Use 1 Zone), Section 12-31.21 (Permitted Uses) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:


(A) Permitted uses shall be as identified in the Downtown Inglewood and Fairview Heights Transit Oriented Development Plan as well as the following:

1. **Smoke Shops.** New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.

SECTION 6.

The text of Article 10.3 ("MU-2" Mixed-Use 2 Zone), Section 12-31.26. (Permitted Uses.) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:


(A) Permitted uses shall be as identified in the Downtown Inglewood and Fairview Heights Transit Oriented Development Plan as well as the following:

1. **Smoke Shops.** New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.

SECTION 7.

The text of Article 10.4 ("MU-3" Mixed-Use 3 Zone), Section 12-31.31. (Permitted Uses.) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:
Section 12-31.31. Permitted Uses.

(A) Permitted uses shall be as identified in the Downtown Inglewood and Fairview Heights Transit Oriented Development Plan as well as the following:

1. Smoke Shops. New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.

SECTION 8.

The text of Article 10.5 ("MU-4" Mixed-Use 4 Zone), Section 12-31.36 (Permitted Uses) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:

Section 12-31.36. Permitted Uses.

(A) Permitted uses shall be as identified in the Downtown Inglewood and Fairview Heights Transit Oriented Development Plan as well as the following:

1. Smoke Shops. New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.

SECTION 9.

The text of Article 10.6 ("MU-C" Mixed-Use Corridor Zone), Section 12-31.41. (Permitted Uses) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:

Section 12-31.41. Permitted Uses.

(A) Permitted uses shall be as identified in the Downtown Inglewood and Fairview Heights Transit Oriented Development Plan as well
as the following:

1. Smoke Shops. New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.

SECTION 10.

The text of Article 10.7 ("H·C" Historic Core Zone), Section 12·31.46. (Permitted Uses) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:

Section 12·31.46. Permitted Uses.

(A) Permitted uses shall be as identified in the Downtown Inglewood and Fairview Heights Transit Oriented Development Plan as well as the following:

1. Smoke Shops. New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.

SECTION 11.

The text of Article 10.8 ("C·N" Commercial Neighborhood Zone), Section 12·31.51. (Permitted Uses) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:

Section 12·31.51. Permitted Uses.

(A) Permitted uses shall be as identified in the Downtown Inglewood and Fairview Heights Transit Oriented Development Plan as well as the following:

1. Smoke Shops. New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.
SECTION 12.

The text of Article 11.1 ("M-1L" Limited Manufacturing Zone), Section 12-32.10. (Permitted Uses) of Chapter 12 of the Inglewood Municipal Code is hereby modified to read as follows:

Section 12-32.10. Permitted Uses.

(17). Smoke Shops. New or expanded Smoke Shops are prohibited within 5,280 feet of another Smoke Shop, prohibited within 600 feet of any school, public playground or nonprofit youth facility, and are subject to Special Use Permit approval.

SECTION 13.

The City Clerk shall certify to the passage and adoption of this ordinance and to its approval by the City Council and shall cause the same to be published in accordance with the City Charter and thirty days from the final passage and adoption, this ordinance shall be in full force and effect.

INTRODUCED at a regular meeting of the Inglewood City Council on October 12, 2021.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Inglewood City Council on October 19, 2021.

JAMES T. BUTTS
MAYOR OF THE CITY OF INGLEWOOD, CALIFORNIA

Attest:

AISHA L. THOMPSON
CITY CLERK
(SEAL)
STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES) SS.
CITY OF INGLEWOOD  )

I, AISHA L. THOMPSON, City Clerk of the City of Inglewood, California do hereby certify that the whole number of members of the CITY COUNCIL of said city is five; that the foregoing ordinance being Ordinance No. 22-01 is the full, true and correct original of Ordinance No. 22-01 of the said City of Inglewood, California entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, TO APPROVE ZONING CODE AMENDMENT 2021-001 (ZCA-2021-001) TO AMEND CHAPTER 12 (PLANNING AND ZONING) OF THE INGLEWOOD MUNICIPAL CODE TO MODIFY REGULATIONS FOR SMOKE SHOPS

which was duly passed and adopted by the said City Council, approved and signed by the Mayor of said city, and attested by the City Clerk of said City, all at a meeting of said Council held on the 19th day of October, 2021 and that the same was so passed and adopted by the following vote:

Ayes: Council Members, Dotson, Padilla, Morales, Faulk and Mayor Butts, Jr.;

Noes: None.

WITNESS my hand and the seal of said City the 19th day of October, 2021.

(SEAL)

City Clerk of the City of Inglewood