

Introduced by Councilmember \_\_\_\_\_

**ORDINANCE NO.**

**AN INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA  
TEMPORARILY PROHIBITING THE PROCESSING AND APPROVAL OF ADULT  
BUSINESS USE APPLICATIONS**

WHEREAS, the City of Pasadena (“City”) has adopted the Land Use Element of the General Plan and has adopted the Pasadena Zoning Code; and

WHEREAS, the stated purposes of the Zoning Code include the provision of standards for the orderly development of the City and continue a stable pattern of land uses and the promotion of the economic stability of existing land uses that conform to the General Plan and protect them from intrusions by inharmonious or harmful land uses; and

WHEREAS, the City has received inquiries regarding the establishment of adult business uses within the City; and

WHEREAS the City’s current adult business use regulations are more than 10 years old and numerous Federal and State court decisions have been decided in that period of time which have interpreted local adult business use regulations; and

WHEREAS, the City wishes to ensure that its adult business use regulations are in conformity with the current state of the law and the City will review its current adult business use regulations and draft recommended amendments if necessary to insure consistency and conformity with existing law.

WHEREAS, the City Council finds that there is a current and immediate threat to the public health, safety, or welfare in that without a moratorium, applications for adult business uses

can be processed and be approved or denied which would result in impacts inconsistent with the goals of the Land Use Element; and

WHEREAS, pursuant to section 65858 of the California Government Code, the City Council may, in order to protect the public safety, health and welfare, adopt as an urgency measure an interim ordinance prohibiting any uses which may be in conflict with the contemplated adult business use regulations that the City Staff is studying.

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. This interim ordinance is an urgency measure pursuant to Government Code Section 65858 and is for the purpose of protecting the public safety, health, and welfare and is being adopted to prohibit the processing and approval of adult business use applications in the City. This ordinance will establish a moratorium for 45 days from the date of adoption of the ordinance on the processing and approval of adult business use applications in the City.

SECTION 2. The provisions of this ordinance to temporarily prohibit processing and approval of adult business use applications shall apply to any zone in the City of Pasadena.

SECTION 3. Notwithstanding any provision of the Pasadena Municipal Code, no adult business use shall be established within the City during the moratorium and no building permit, use permit, certificate of occupancy, or the like shall be issued for any adult business use.

SECTION 4. Unless extended pursuant to Section 65858 of the California Government Code, this ordinance shall expire at the end of the 45 day period following its date of adoption.

SECTION 5. This ordinance is additional to and supplemental to and shall not affect, except as specifically provided herein, any provision of the Pasadena Municipal Code, which shall be operative and remain in full force and effect without limitation.

SECTION 6. The City Council hereby declares that should any section, paragraph, sentence, phrase, term or word of this ordinance hereby adopted, be declared for an reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

SECTION 7. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 8. This ordinance shall take effect upon publication, and shall be in effect for 45 days for the date of adoption in accordance with Government Code Section 65858.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Bill Bogaard  
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its \_\_\_\_\_ meeting held \_\_\_\_\_, 2006 by the following vote:

AYES:

NOES:

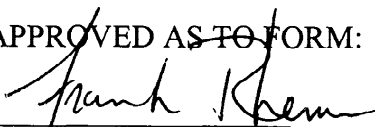
ABSENT:

ABSTAIN:

Published:

\_\_\_\_\_  
Jane L. Rodriguez, CMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Frank L. Rhemrev  
Assistant City Attorney