The City of Imperial Beach

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COMMUNITY DEVELOPMENT DEPARTMENT
825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932

NOTICE OF CITY COUNCIL PUBLIC HEARING AND NOTICE OF AVAILABILITY OF DRAFT LOCAL COASTAL PROGRAM (LCP)/GENERAL PLAN MATERIALS AND PROPOSED AMENDMENT TO CITY'S ZONING ORDINANCE BY ADDING CHAPTER 19.63 (SMOKE SHOPS; TOBACCO AND TOBACCO PARAPHERNALIA RETAIL) (MF 981)

Public Review Period: August 28, 2008, through October 13, 2008

NOTICE IS HEREBY GIVEN that the **CITY COUNCIL of the CITY OF IMPERIAL BEACH, CA**, will hold a **Public Hearing** on **November 5, 2008**, at 6:00 p.m. in the Council Chambers, 825 Imperial Beach Blvd., Imperial Beach, CA 91932 to consider the following:

Project Description: Consider amendments to Title 19, Zoning Ordinance, the Implementation Component of the City's General Plan (GP)/Local Coastal Plan (LCP), that would add Imperial Beach Municipal Code Chapter 19.63 (Smoke Shops; Tobacco and Tobacco Paraphernalia Retail), regulating the location and operation of retail purveyors of tobacco products and tobacco paraphernalia through a conditional use permit. Local Coastal Program/General Plan and Zoning Code Amendment (**LCPA/GPA/ZCA**) **08-01**. Applicant: City of Imperial Beach. **M.F. 981**.

Environmental Determination: An amendment of the Zoning Ordinance falls within the definition of a project pursuant to Section 15378 of the California Environmental Quality Act (CEQA). Pursuant to Section 21080.5 of CEQA, the California Coastal Commission will review the proposed amendment for compliance with the certified Local Coastal Program and CEQA. The Community Development Department has independently determined that the proposed amendment is exempt pursuant to Section 15061.b.3 entitled Review for Exemption, where it can be seen with certainty that this project would not have a significant effect on the environment as the proposed amendment would require that applicants for smoke shops obtain a conditional use permit that would be subject to additional environmental review for compliance with CEQA.

Local Coastal Program Amendment: This project constitutes an amendment to the Implementation Component of the City's certified Local Coastal Program. It proposes to add and amend provisions of the Zoning Ordinance as described above. This public notice is given of the availability of documents and request for comments pertaining to this item and it begins a six-week public review period for the item prior to any final action being taken by the City Council on this amendment request, pursuant to California Code of Regulations Code §13515 (14 CCR 13515) and California Government Code §65352. The amendment will be posted on the City's website at www.cityofib.com. The City Council public hearing and **First Reading** of the Ordinance is expected to take place on **November 5, 2008** and the **Second Reading** and **adoption** of the Ordinance is expected to take place on **November 19, 2008**. The proposed amendment (LCPA/GPA/ZCA 08-01) must be submitted to the California Coastal Commission for review and certification, and it will not become effective until certified by the California Coastal Commission.

Any and all persons interested in the above item are invited to appear at the public hearing and to testify. Interested persons may contact the City Clerk's office to be informed of the place on the City Council Agenda.

This public notice is filed consistent with and subject to the California Government Code, Section 65009(b)(2) - Exhaustion Doctrine. Any subsequent court challenge to the above item may be limited to those issues raised at the public hearing, or issues raised in written correspondence delivered to the City at, or prior to the public hearing.

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act. If you require assistance or auxiliary aids in order to participate at the City Council meetings, please contact the City Clerk's Office at (619) 423-8301 as far in advance of the meeting as possible.

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City Planner
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Dated this 25th day of August, 2008