

INTRODUCED BY COUNCIL MEMBER _____
2003 NO. 20 PH 12-07

Mark P. Wald
CITY ATTORNEY

AMENDING ORDINANCE NO. _____ C.M.S.

AN ORDINANCE AMENDING ORDINANCE NO. 12461 C.M.S. TO EXTEND, BY SIX MONTHS, THE EXISTING INTERIM CONTROLS ON THE ISSUANCE OF BUILDING, ZONING, AND OTHER PERMITS FOR THE CONSTRUCTION OF NEW BUSINESS, CIVIC AND RESIDENTIAL SIGNS WITHIN ALL COMMERCIAL, INDUSTRIAL, S-1, S-2, S-3, S-15, AND S-16 ZONES.

WHEREAS, on December 17, 2002, the City Council adopted Ordinance No. 12461 C.M.S. which established interim controls on the issuance of building, zoning, and other permits for the construction of new business, civic and residential signs within all commercial, industrial, S-1, S-2, S-3, S-15, and S-16 zones; and

WHEREAS, at that time the City Council directed the Community and Economic Development Agency to initiate an analysis to examine appropriate land use controls and other strategies which address the land use compatibility issues and visual blight impact related to business signs; and

WHEREAS, based on the land use analysis, recommendations regarding permanent land use controls with respect to business signs would be provided; and

WHEREAS, the interim controls were established to provide temporary land use controls pending the completion of the analysis, and

WHEREAS, certain findings were made to support adoption of the Ordinance, and

WHEREAS, those findings are still true and correct, and

WHEREAS, the land use analysis will be completed over the next six months and recommendations on appropriate land use controls and other strategies will be made, and

WHEREAS, the interim controls will expire on December 17, 2003, and

WHEREAS, the issuance of building, zoning, and other permits for development activities should continue under the interim controls until the Community and Economic Development Agency completes the analysis, and until the City Planning Commission and City Council review the recommendations and determine where to adopt new or additional land use controls and other strategies which address the land use compatibility issues and visual blight impact related to business, civic and residential signs, and

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WHEREAS, the City Council and legislative body of the City, has an obligation pursuant to the City Charter, General Plan and Oakland Planning Code to protect Oakland's physical environment and to conserve existing neighborhoods and other areas, while encouraging orderly development and in manner compatible with existing development in these areas, and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, as prescribed by the Secretary of Resources, and the City of Oakland's environmental review requirements have been satisfied, and that in accordance with Sections 15061(b)(3), 15305, 15307, and 15311, of the California code of Regulations, this project is exempt from the provisions of CEQA, and

WHEREAS, the City Council finds and determines that the public safety, health, convenience, comfort, prosperity, and general welfare will be furthered by the proposed amendment to extend the interim controls for an additional six months.

NOW, THEREFORE, the Council of the City of Oakland does ordain as follows:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this ordinance.

SECTION 2. The duration of the interim controls shall be extended for six months and shall expire on June 16, 2004, or until permanent land use controls are adopted by the City Council, whichever occurs first.

SECTION 3. All other provisions of Ordinance No. 12461 C.M.S. shall remain in full force and effect including but not limited to the findings made by the City Council.

SECTION 4. This Ordinance shall be effective pursuant to Charter section 216.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

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ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

Introduction Date:
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MPW

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NOTICE AND DIGEST

This ordinance extends interim controls, for a six-month period, to regulate the size and height of Business, Civic, and Residential Signs.

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