

FILED
OFFICE OF THE CITY CLERK
OAKLAND

INTRODUCED BY COUNCIL MEMBER _____
2003 NOV 20 PM 12:27

APPROVED AS TO FORM AND LEGALITY

Mark P. Wald
CITY ATTORNEY

AMENDING ORDINANCE NO. 12563 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

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, **DEC 16 2003**, 2003

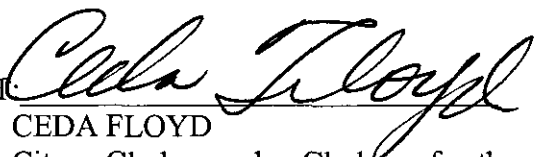
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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

Introduction Date:
DEC 2 2003

MPW

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.

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.

NOTICE OF PUBLICATION

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.

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.

This Ordinance was introduced at the City Council meeting, Tuesday evening December 2, 2003, and passed to print 7 Ayes, 1 Excused. Hearing on final adoption has been scheduled for the City Council meeting Tuesday evening December 16, 2003, 6:00 p.m., at One Frank H. Ogawa Plaza, Council Chambers, on the third floor in Oakland, California.

Three full copies are available for use and examination by the public in the Office of the City Clerk at One Frank H. Ogawa Plaza, 1st floor, Oakland, California.

CEDA FLOYD, City Clerk

**The Oakland Tribune, #312064
December 13, 2003**

Oakland Tribune

c/o ANG Newspapers
401 13th Street
Oakland, CA 94612
Legal Advertising
(800) 595-9595 opt.4

CITY OF OAKLAND
1 FRANK OGAWA PLAZA, 2ND FLOOR (CITY
HALL), ATTN: DENISE VEJMOLA
OAKLAND CA 94612

PROOF OF PUBLICATION

FILE NO. 12461

In the matter of

ORDINANCE, EXTENDING BY SIX MONTHS EXISTING INTERIM CONTROLS

The Oakland Tribune

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California. "Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

12/13/03

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Hansen Sells

Public Notice Advertising Clerk

Legal No. 0000312054

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CEDA FLOYD, City Clerk

The Oakland Tribune, #312054
December 13, 2003

07#12463