September 6, 2019

SUBJECT: REPORT ON STATUS OF ACTIONS FOLLOWING ADOPTION OF BILL NO. 956-C.S. AND BILL NO. 957-C.S., URGENCY MEASURES IMPOSING A MORATORIUM ON THE INSTALLATION, ERECTION, CONSTRUCTION, REPLACEMENT, MODIFICATION OR IMPROVEMENT OF OFF-PREMISE SIGNS AND DIGITAL SIGNS IN THE INLAND AND COASTAL PORTIONS OF THE CITY.

California Government Code (CGC) §65858 allows the City Council to adopt, as an urgency measure, an interim ordinance prohibiting any use that may be in conflict with a contemplated General Plan or Zoning Code, when the Council, Planning Commission, or Planning staff intends to study and remedy the conflict within a reasonable time.

CGC §65858 allows a moratorium to be adopted for an initial period of 45 days with or without a noticed public hearing. Adoption of a moratorium requires a four-fifths (4/5) vote of the Council. Prior to expiration of the initial 45 days, the Council may, after a noticed public hearing, extend the ordinance for an additional 10 months and 15 days and subsequently extend the interim ordinance for another one year, if necessary. CGC §65858 does not allow an extension of the original urgency ordinance for a period less than 10 months and 15 days.

On September 18, 2018, the City Council introduced and adopted two interim urgency ordinances (Bill Nos. 956-C.S. and 957-C.S.), which established a moratorium on digital signs and off-premise signs in the inland and coastal portions of the City for 45 days. On October 16, 2018, Council held a public hearing and adopted Bill Nos. 960-C.S. and 961-C.S. extending both urgency ordinances for an additional 10 months and 15 days.

The ordinances prohibit the installation, erection, construction, replacement, modification, or improvement of digital signs and off-premise signs. The ordinances do not require existing digital signs or off-premise signs to cease operation, or to be removed.
Once the inland Zoning Code became effective in June, 2019, the inland interim ordinance was no longer in effect. The coastal zoning code (implementation plan) has not been adopted and the coastal interim ordinance is still in effect. However, the coastal interim ordinance is set to expire on September 18, 2019.

California Government Code §65858(a) allows for an additional one-year extension of the interim ordinance upon a four-fifths vote of the City Council.

California Government Code § 65858(d) provides that at least ten (10) days prior to the expiration of the interim ordinance, the City Council is required to issue a written report describing the measures taken to alleviate the condition that led to the adoption of the interim ordinance. This report satisfies that requirement.

The subject interim ordinance was adopted to allow sufficient time for the City to receive community input and for staff to study how to permanently regulate the digital signs and off-premise signs in the coastal portion of the City.

Since the ordinance was passed, staff has continued to work on drafting the Local Coastal Program Amendment which will update both the Land Use Plan, and the coastal Zoning Code (Implementation Plan). The coastal zoning code will specifically address both digital signs and off-premise signs. Staff hopes to bring the amendment to the City Council within the next 6 months.