



OFFICE OF THE CITY ATTORNEY
Long Beach, California

H-1

ROBERT E. SHANNON
City Attorney

December 7, 2010

PRINCIPAL DEPUTIES

HEATHER A. MAHOOD
Chief Assistant City Attorney

MICHAEL J. MAIS
Assistant City Attorney

Dominic Holzhaus
Anne C. Lattime
Monte H. Machit
J. Charles Parkin

DEPUTIES

C. Geoffrey Allred
Gary J. Anderson
Richard F. Anthony
Amy R. Burton
Christina L. Checel
Randall C. Fudge
Charles M. Gale
Barbara J. McTigue
Barry M. Meyers
Cristyl Meyers
Howard D. Russell
Tiffani L. Shin
Linda Trang
Theodore B. Zinger

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to receive supporting documentation into the record, conclude the hearing, declare ordinance relating to the extension of the temporary limitation (moratorium) on the approval of permits for billboards, supergraphic signs and the conversion of existing billboard/sign displays into electronic or digital billboards read the first time and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof and declaring that this ordinance shall take effect immediately. (Citywide)

DISCUSSION

In December 2009, the City Council adopted an ordinance which initiated a moratorium on the approval of permits to construct, modify or place billboards, supergraphic signs and the conversion of existing billboard/sign displays into electronic or digital billboards. The moratorium was initiated pursuant to the provisions of Chapter 21.50 of the Municipal Code, "Interim Prohibition of Uses."

Additional time is required to complete comprehensive regulations for the permitting, placement, design and maintenance of said billboards and related structures throughout the City. The attached ordinance will extend the moratorium instituted under the ordinance for an additional one year, up to and including December 7, 2011.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By 
MICHAEL J. MAIS
Assistant City Attorney

MJM:kjm
Attachment

A09-03496

1 Section 1. Section 4 - "Prohibition" of ORD-09-00035 is
2 amended to read as follows:

3 Section 4. Prohibition.

4 Notwithstanding any provision of the Long Beach Municipal
5 Code to the contrary, for a period of two years ~~one (1) year~~ from the
6 effective date of this Ordinance, up to and including December 7, 2011, or
7 until a permanent ordinance becomes effective, whichever occurs first:

8 A. No building or other permit for a new billboard or
9 billboard structure, electronic or digital billboard, or new supergraphic sign
10 shall be issued.

11 B. No person shall erect, place, alter or construct any
12 new billboard or billboard structure, electronic or digital billboard, or new
13 supergraphic sign pursuant to a building permit issued prior to the
14 effective date of this Ordinance.

15 C. No building or other permit shall be issued that would
16 result in the conversion of an existing billboard into an electronic or digital
17 billboard.

18 Section 2. Declaration of Urgency. This ordinance is an emergency
19 measure, and it is urgently required for the reason that, pending completion of the
20 necessary planning study, and a determination relative to the potential need to amend
21 the Zoning or Building regulations of the City, it is necessary to temporarily prohibit the
22 issuance of permits for billboards, supergraphic signs and the conversion of existing
23 billboard/sign displays into electronic or digital billboards in the City that might be
24 inconsistent with the pending revisions to the Zoning or Building regulations of the City
25 being considered during the interim period.

26 Section 3. This ordinance is an emergency ordinance duly adopted by
27 the City Council on _____, 2010, by a vote of at least five (5) of its
28 members and shall take effect immediately. The City Clerk shall certify to a separate roll

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ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 call and vote on the question of the emergency of this ordinance and to its passage by
2 the vote of five members of the City Council of the City of Long Beach, and cause the
3 same to be posted in three conspicuous places in the City of Long Beach.

4 Section 4. This ordinance shall also be adopted by the City Council as a
5 regular ordinance, to the end that in the event of any defect or invalidity in connection
6 with the adoption of this ordinance as an emergency ordinance, the same shall,
7 nevertheless, be and become effective on the thirty-first day after it is approved by the
8 Mayor.

9 Section 5. The City Clerk shall certify to the passage of this ordinance by
10 the City Council of the City of Long Beach and shall cause the same to be posted in three
11 (3) conspicuous places in the City of Long Beach.

12 I hereby certify that on a separate roll call and vote which was taken by the
13 City Council of the City of Long Beach upon the question of emergency of this ordinance
14 at its meeting of _____, 2010, the ordinance was declared to be an
15 emergency by the following vote:

16 Ayes: Councilmembers: _____

17 _____

18 _____

19 Noes: Councilmembers: _____

20 _____

21 Absent: Councilmembers: _____

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I further certify that thereafter, at the same meeting, upon a roll call and vote on adoption of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

I further hereby certify that the foregoing ordinance was adopted on final reading by the City Council of the City of Long Beach at its meeting of _____, 2010; by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____

Mayor

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ORDINANCE NO.

AN INTERIM ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF LONG BEACH AMENDING ORDINANCE
NO. ORD-09-0035 RELATING TO THE EXTENSION OF THE
TEMPORARY LIMITATION ON THE APPROVAL OF
PERMITS FOR BILLBOARDS, SUPERGRAPHIC SIGNS
AND THE CONVERSION OF EXISTING BILLBOARD/SIGN
DISPLAYS INTO ELECTRONIC OR DIGITAL BILLBOARDS;
DECLARING THE URGENCY THEREOF; AND DECLARING
THAT THIS ORDINANCE SHALL TAKE EFFECT
IMMEDIATELY

WHEREAS, on December 1, 2009, by Ordinance No. ORD-09-0035, the
City Council of the City of Long Beach imposed, on an urgency basis, a temporary
moratorium for one (1) year on the approval of permits for billboards, supergraphic signs
and the conversion of existing billboard/sign displays into electronic or digital billboards
within the City; and

WHEREAS, additional time is required to study and complete the
comprehensive regulations for the permitting, placement, design and maintenance of
billboards, supergraphic signs and the conversion of existing billboard/sign displays into
electronic or digital billboards in all zones within the City, and to work with local residents
and representatives in the outdoor advertising industry to review and make revisions to
the draft ordinance; and

WHEREAS, a duly noticed public hearing was held on December 7, 2010,
regarding the extension of the moratorium;

NOW, THEREFORE, The City Council of the City of Long Beach ordains as
follows:

1 Section 1. Section 4 - "Prohibition" of ORD-09-00035 is
2 amended to read as follows:

3 Section 4. Prohibition.

4 Notwithstanding any provision of the Long Beach Municipal
5 Code to the contrary, for a period of two years from the effective date of
6 this Ordinance, up to and including December 7, 2011, or until a
7 permanent ordinance becomes effective, whichever occurs first:

8 A. No building or other permit for a new billboard or
9 billboard structure, electronic or digital billboard, or new supergraphic sign
10 shall be issued.

11 B. No person shall erect, place, alter or construct any
12 new billboard or billboard structure, electronic or digital billboard, or new
13 supergraphic sign pursuant to a building permit issued prior to the
14 effective date of this Ordinance.

15 C. No building or other permit shall be issued that would
16 result in the conversion of an existing billboard into an electronic or digital
17 billboard.

18 Section 2. Declaration of Urgency. This ordinance is an emergency
19 measure, and it is urgently required for the reason that, pending completion of the
20 necessary planning study, and a determination relative to the potential need to amend
21 the Zoning or Building regulations of the City, it is necessary to temporarily prohibit the
22 issuance of permits for billboards, supergraphic signs and the conversion of existing
23 billboard/sign displays into electronic or digital billboards in the City that might be
24 inconsistent with the pending revisions to the Zoning or Building regulations of the City
25 being considered during the interim period.

26 Section 3. This ordinance is an emergency ordinance duly adopted by
27 the City Council on _____, 2010, by a vote of at least five (5) of its
28 members and shall take effect immediately. The City Clerk shall certify to a separate roll

1 call and vote on the question of the emergency of this ordinance and to its passage by
2 the vote of five members of the City Council of the City of Long Beach, and cause the
3 same to be posted in three conspicuous places in the City of Long Beach.

4 Section 4. This ordinance shall also be adopted by the City Council as a
5 regular ordinance, to the end that in the event of any defect or invalidity in connection
6 with the adoption of this ordinance as an emergency ordinance, the same shall,
7 nevertheless, be and become effective on the thirty-first day after it is approved by the
8 Mayor.

9 Section 5. The City Clerk shall certify to the passage of this ordinance by
10 the City Council of the City of Long Beach and shall cause the same to be posted in three
11 (3) conspicuous places in the City of Long Beach.

12 I hereby certify that on a separate roll call and vote which was taken by the
13 City Council of the City of Long Beach upon the question of emergency of this ordinance
14 at its meeting of _____, 2010, the ordinance was declared to be an
15 emergency by the following vote:

16 Ayes: Councilmembers: _____
17 _____
18 _____
19 Noes: Councilmembers: _____
20 _____
21 Absent: Councilmembers: _____
22 _____

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I further certify that thereafter, at the same meeting, upon a roll call and vote on adoption of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

I further hereby certify that the foregoing ordinance was adopted on final reading by the City Council of the City of Long Beach at its meeting of _____, 2010, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____

Mayor