

# Attachment 2

**ORDINANCE NO. XXXX N.S.**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES**  
**AMENDING CHAPTER 21.52 OF THE EL PASO DE ROBLES MUNICIPAL CODE RELATING TO SIGNS AND**  
**FINDING THE ACTION TO BE EXEMPT FROM CEQA**

WHEREAS, Chapter 21.52 of the El Paso de Robles Municipal Code regulates the placement, design, and maintenance of signs within the City ; and

WHEREAS, best practices now emphasize regulating signs based on objective, physical characteristics, such as size, height, location, lighting, and duration, rather than the message displayed on the sign itself ; and

WHEREAS, the City Council finds that updating the “Temporary Signs,” “Prohibited Signs,” “Nonconforming Signs,” and related provisions of Chapter 21.52 will modernize the regulations in keeping with best practices that emphasize content neutral, objective standards such as size, height, lighting, and location ; and

WHEREAS, on March 10, 2026, the Planning Commission held a duly noticed public hearing at which it received a staff report, considered all public testimony, and reviewed the proposed ordinance amending Chapter 21.52; and

WHEREAS, on March 10, 2026, the Planning Commission adopted Resolution No. PC 26-012 recommending that the City Council adopt the ordinance amending Chapter 21.52; and

WHEREAS, the City Council originally held a duly noticed public hearing on the proposed amendments on April 7, 2026. As a result of public testimony provided during the hearing, the City Council voted to continue the public hearing to April 21, 2026 to allow the public additional time to review the proposed changes; and

WHEREAS, on April 21, 2026, the City Council held a duly noticed public hearing on the proposed amendments, at which it received a staff report, considered the recommendation of the Planning Commission, considered all public testimony, and reviewed the proposed ordinance

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Recitals. All of the above recitals are true and correct and are incorporated herein by reference.

Section 2. Environmental Determination. The City Council finds that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a “project” under CEQA. State CEQA Guidelines §15060(c) provides that “[a]n activity is not subject to CEQA if ... the activity is not a project as defined in Section 15378.” Here, the proposed ordinance does not qualify as a “project” as defined in State CEQA Guidelines section 15378 for at least two different reasons.

First, Section 15378 defines a project as an activity that “has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change

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in the environment.” (State CEQA Guidelines, § 15378(a).) Here, the proposed ordinance will not result in any construction or development, and it will not have any effect that would physically change the environment. Accordingly, it is not a “project” subject to CEQA. (State CEQA Guidelines, § 15060(c).)

Second, Section 15378 explicitly excludes from its definition of “project” the following: “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” (State CEQA Guidelines, § 15378(b)(5).) The proposed ordinance consists of administrative and organizational amendments to Chapter 21.52 of the El Paso de Robles Municipal Code that will not result in direct or indirect physical changes in the environment. Accordingly, it is not a project subject to CEQA.

Even if the proposed ordinance is considered a “project” subject to CEQA, it is categorically exempt pursuant to State CEQA Guidelines Section 15320 (Class 20). Class 20 consists of “changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. The proposed ordinance is limited to amending Section 21.52.040, “Prohibited Signs,” Section 21.52.090, “Temporary Signs,” Section 21.52.100, “Nonconforming Signs – Copy Changes,” and Section 21.52.110, “Administration and Enforcement,” of Title 21 of the Municipal Code to better align the types of prohibited, temporary, and nonconforming signs with best practices in an even-handed manner that safeguards fundamental free speech rights, while also protecting the community’s aesthetic and safety objectives, enhances the City’s visual environment so as to foster commerce and tourism, minimize visual clutter, and serves the public health, welfare and safety and traffic safety and circulation concerns. Further, the Zone Text Amendment is exempt from CEQA under the “common sense exemption” set forth in State CEQA Guidelines section 15061(b)(3), which provides that an activity is not subject to CEQA “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” As explained above, the ordinance merely makes objective updates to the standards for signs and does not allow any new types or intensities of land use activities. Lastly, none of the exceptions to the use of categorical exemptions identified in State CEQA Guidelines section 15300.2 apply: there is no potential for cumulative impacts; there are no unusual circumstances that would have a significant impact on the environment due to the adoption of the Ordinance; the Ordinance would not negatively impact scenic resources within a duly designated scenic highway; there is no record of hazardous waste and the Ordinance has no potential to impact historic resources.

The City Council directs staff to file a Notice of Exemption for this Ordinance with the County Clerk and the State Clearinghouse in accordance with State CEQA Guidelines.

Section 3. Amendment of Chapter 21.52. Section 21.52.040, “Prohibited Signs,” Section 21.52.090, “Temporary Signs,” Section 21.52.100, “Nonconforming Signs – Copy Changes,” and Section 21.52.110, “Administration and Enforcement,” of Chapter 21.52, “Signs,” of the El Paso de Robles Municipal Code are hereby repealed and replaced read as set forth in Exhibit A, attached hereto and incorporated herein by reference. All other provisions of Chapter 21.52 remain in full force and effect unless otherwise specifically provided herein.

Section 4. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section,

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subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage and adoption.

Section 6. Publication. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published at least five (5) days prior to the meeting at which the proposed Ordinance is to be adopted and shall post a certified copy of the proposed Ordinance in the Office of the City Clerk. Within fifteen (15) days of the adoption of the Ordinance, the City Clerk shall cause a summary of the Ordinance to be published, including the vote for and against the same, in accordance with Government Code Section 36937.

INTRODUCED at a regular meeting of the City Council held on April 21, 2026, for first reading by the City Council of the City of El Paso de Robles, and adopted on the \_\_\_ day of \_\_\_\_\_, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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John R. Hamon, Jr., Mayor

ATTEST:

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Melissa Martin, City Clerk

Exhibit A – Amended Chapter 21.52 (Sign Ordinance)