

City of Sacramento

thereon, in which event notice will be sent to such sign owner. Notwithstanding any provision to the contrary herein, failure to notify the owner of the property or sign or the failure of such owner to receive such notice shall not relieve such owner of the duty to comply with the provisions of Section 15.148.790 or of this chapter. (Prior code § 3.10.182)

15.148.810 Signs hereafter rendered nonconforming.

Any sign which becomes nonconforming subsequent to the effective date of this article, either by reason of annexation to the city of the territory upon which the sign is located, or the amendment of this article, the zoning ordinance, or other provision of this code so as to render such sign nonconforming shall be subject to the provisions of this article. The period within which such sign must be removed shall commence to run upon the effective date of the annexation, amendment or the date upon which the sign otherwise becomes nonconforming. (Prior code § 3.10.183)

15.148.815 Relocation of offsite signs pursuant to relocation agreements.

A. Purpose. The purpose of relocation agreements approved pursuant to this section is to allow for the removal and relocation of existing, nonconforming, offsite signs to new and different locations, and to enable the substitute of offsite signs meeting modern standards for such existing, nonconforming, offsite signs. For purposes of this section, relocation includes the removal of existing nonconforming, offsite signage and the construction of new replacement offsite signage or alteration of existing offsite signage, subject to compliance with the requirements of this section.

B. Offsite Signs Pursuant to Relocation Agreement. Notwithstanding provisions of this chapter to the contrary, a new or relocated offsite sign that does not comply with all of the requirements of this chapter may be allowed pursuant to a relocation agreement approved by the city council pursuant to this section, subject to the requirements and procedures set forth below.

C. Applicability. Any legal, nonconforming offsite sign may be considered as a candidate for relocation pursuant to a relocation agreement as provided in this section. Such offsite signs may be relocated to a new site or relocated on the present site only in accordance with this section.

D. Procedure. Relocation agreements shall be approved by the city council. Applications for relocation agreements shall be noticed and heard before the planning commission and city council in the same manner as applications for city council approved special permits are noticed and heard pursuant to Section 17.212.060 of the city code.

E. Application—Property Owner's Consent or Indemnity. To the extent the applicant is not the owner of the property on which the nonconforming, offsite sign proposed for relocation is located, or is not the owner of the property to which the nonconforming, offsite sign will be relocated, the applicant shall, either at the time of application, either provide documentation of the consent of the owner(s) to the application or, agree to indemnify the city against any and all claims from owner(s) concerning the processing and approval, should approval occur, of the relocation agreement application.

F. Requirements for Relocated Offsite Signs. The offsite sign(s) approved for relocation pursuant to a relocation agreement under this section shall comply with the requirements of this chapter for offsite signs, except as specifically provided below:

1. Size. The maximum size of an individual offsite sign relocated pursuant to a relocation agreement shall not exceed seven hundred (700) square feet;
2. Distance Between Offsite Signs. Except as prohibited by the California Outdoor Advertising Act, and notwithstanding Section 15.148.160(B), offsite signs may be located at or greater than two hundred and fifty (250) feet from another offsite sign on the same side of the street; and to the extent an offsite sign is located on one street but is oriented to be viewed from another street, no such sign shall be located nearer than two hundred and fifty (250) feet to any other offsite sign on the same side of the street on which it is located or any other offsite sign located on the nearest side of the street to which said sign is oriented;
3. Zoning. Relocated offsite signs shall be allowed in the C-4, M-1 and M-2 zones; provided that lawfully existing, nonconforming offsite signs located in other zones may be altered, modified or replaced in the same location pursuant to a relocation agreement, provided that all of the other provisions of this section are satisfied.

4. **Reduction in Number of Signs and Square Footage.** No relocation agreement shall be approved unless the relocation agreement results in: i) a net reduction in the number of offsite signs lawfully permitted; and ii) a net reduction in the total square footage of offsite signage lawfully permitted.

5. **Signs Within Six Hundred and Sixty (660) Feet of a Freeway.** Notwithstanding Section 15.148.850, a relocation agreement may be approved even though it would result in the relocation of a sign or signs to a location within six hundred and sixty (660) feet of a freeway where the copy of such offsite sign would be visible by persons traveling on that freeway.

6. **Digital Billboards on City Land.** Notwithstanding Section 15.148.640, the city council may approve one or more relocation agreements that authorize the construction of digital billboards on city-owned property adjacent to a freeway, subject to the following additional provisions:

- a. Notwithstanding subsection (F)(3) of this section, the city-owned property may be located in any commercial or industrial zone.
- b. All digital-display faces must be oriented primarily for viewing from the adjacent freeway.
- c. Notwithstanding any provision to the contrary in this chapter, the maximum height of a digital billboard, measured from grade to the top of the digital-display face, is eighty-five (85) feet; and the overall maximum height, measured from grade to the top of the billboard structure, is ninety (90) feet.
- d. Notwithstanding any provision to the contrary in this chapter, a digital billboard may have either one or two display faces, and the maximum area of a display face is seven hundred (700) square feet.
- e. Notwithstanding any provision to the contrary in this section, an existing offsite sign that is removed and relocated under a relocation agreement that authorizes the construction of a digital billboard may be either a legal conforming sign or a legal nonconforming sign.
- f. A digital billboard may display only a series of still images, each of which is displayed for at least eight seconds. The still images may not move or present the appearance of motion and may not use flashing, scintillating, blinking, or traveling lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one second.
- g. The city must comply with the California Environmental Quality Act before approving a relocation agreement that authorizes a digital billboard.

7. **Consistency with Outdoor Advertising Act.** In addition to complying with the other requirements set forth in this section, the relocated offsite sign must also comply with the requirements of the Outdoor Advertising Act, Chapter 2 in Division 3 of the California Business and Professions Code, including, but not limited to, the restrictions on size, height, proximity to interstate and primary highways and landscaped freeways, and other regulations set forth in Articles 7 and 8 of the Act. To the extent any conflict arises between this section and the Outdoor Advertising Act, the Outdoor Advertising Act will prevail. G. **Findings.** A relocation agreement may be approved if the council makes the following findings concerning the signage proposed for relocation pursuant to the relocation agreement;

1. The relocated signage complies with the purpose and requirements of this section and this chapter;
2. The relocated signage is compatible with the uses and structures on the site and in the surrounding area, including parks, trails and other public facilities and amenities;
3. The relocated signage will not interfere with onsite access, circulation or visibility;
4. The relocated signage will not create a traffic or safety hazard;
5. The relocated signage will not result in any undue or significant increase in visual clutter in the area surrounding the new site.

H. **Removal of Existing Offsite Sign:** The offsite sign(s) approved for relocation must be removed from the original site (s) prior to construction or installation of the offsite sign(s) authorized by the relocation agreement. (Ord. 2010-011 § 2; Ord. 2002-005 § 1, 2002)

Article X. Removal and Disposition of Signs

15.148.820 Removal of signs by director of building inspections.

City of Ontario

Signs shall be maintained at all times in a state of good condition, with all braces, bolts, and structural elements reasonably free from rust, rot, and loosening. No person shall maintain or permit to be maintained on any premises controlled by him, any sign or sign structure which is sagging, leaning, fallen, decayed, broken, deteriorated or in an unsafe condition.

Sec. 9-1.3175. Master sign plan.

A site having three (3) or more non-residential uses or occupants and having an area of two (2) contiguous acres shall submit a master sign plan to the Planning Department prior to issuance of any permits for signs. A Master Sign plan is also required for existing sites when a new tenant leases a space and there is no approved Master Sign Plan for the site. The new Master Sign Plan would not apply to existing tenants, however, each new tenant of the site would be required to comply with the Master Sign Plan.

Submittal information includes:

(a) Applications for a Master Sign Plan is to include the following information:

(1) A Master Sign Plan sketch, drawn to scale, delineating the site proposed to be included in the sign program and the general location of all signs;

(2) Drawings and/or sketches indicating the exterior surface details of all buildings within the site on which wall signs, directory signs or projecting signs are proposed to be located;

(3) Proposed color schemes of the signs;

(b) Deviations from the sign standards of this article may be granted through the approval of a Master Sign Plan by the Zoning Administrator, when the following findings can be made:

(1) That the Plan's contribution to the overall design quality of the site and the surrounding area will be superior to the quality that would result under regulations normally applicable to the site under this article;

(2) That the proposed signs are compatible with the style or character of existing improvements on the site and are well-related to each other;

(3) That any deviations from the standards of this article are fully consistent with the purposes of this article and of the Development Code.

Sec. 9-1.3176. Billboard relocation agreements.

(a) Purpose. The purpose of billboard relocation agreements is to reduce the overall number of legal nonconforming billboards within the city by allowing relocated billboards in more suitable locations and provide more attractive, aesthetically pleasing billboard designs through a billboard relocation agreement. A further purpose is to reduce or eliminate the City's obligation to pay compensation for the removal of legal nonconforming billboards. Billboard relocation agreements are part of the demonstrated commitment of the City of Ontario to improve the aesthetic appearance of the City. The consideration and execution of billboard relocation agreements shall be at the sole discretion of the City of Ontario.

(b) Applicability. This section shall apply to all legal nonconforming billboards within the City of Ontario.

(c) Definitions.

(1) "Major gateway." An entry into the City through a major transportation corridor or node (e.g. arterial, airport, rail lines).

(2) "Regionally significant." Pertaining to a use that supports activities or economies at a scale greater than that of a single jurisdiction, drawing predominately from a market area that extends twenty (20) miles from the City limits.

(3) "Underdeveloped." Not developed to its highest and best use.

(4) "Visual clutter." Disorganized, distracting and/or competing graphics within public view that contribute to visual blight.

(d) New billboards prohibited. Existing legal nonconforming billboards may be relocated only as part of a billboard relocation agreement. The construction of new billboards is prohibited in accordance with § 9-1.3120 of the Ontario Development Code.

(e) Existing billboards removed. Every billboard relocation agreement shall provide that for every billboard relocated and constructed at a relocation site, a minimum of two (2) existing, legal nonconforming billboards shall be removed.

(f) Relocation sites. Relocation sites are restricted to areas that are recognized as major gateways into the city within or adjacent to a regionally significant project.

(1) Site criteria. Suitable relocation sites shall be based on the following considerations:

- (i) The area is developed with a permitted use that is regionally significant;
- (ii) The area does not have excessive visual clutter;
- (iii) The proposed relocated billboard would be compatible with uses and structures on the site and in the surrounding area;
- (iv) The proposed billboard would not create a traffic or safety problem with regard to on-site access, circulation or visibility; and
- (v) The proposed billboard would not interfere with on-site parking or landscaping required by City ordinance or permit.

These considerations are to serve only as general guidelines for use by applicants and the City in the identification of potential suitable relocation sites. Specific sites within suitable areas will be negotiated through the billboard relocation agreement process.

(2) Design criteria. Typical billboard design with a large sign area mounted on a pole is not permitted. Pylon-type signs which are structural elements with architectural treatment are required. Suitable design shall be based on the following considerations:

- (i) The design should be integrated into the design scheme of the surrounding area and/or buildings;
- (ii) The design shall provide architectural interest for the structure;
- (iii) The design shall incorporate a top and base treatment to the billboard structure;

(3) Prohibited sites. No billboard shall be relocated to a site if it meets any of the following criteria:

- (i) The site is adjacent to any freeway (I-10, I-15 or SR-60) or Euclid Avenue;
- (ii) The site is located within the Agricultural (AG) or the Euclid Avenue Corridor (EA) Overlay Districts;
- (iii) The site is undeveloped or underdeveloped.
- (iv) The site is within three thousand (3,000) linear feet of an area which has a residential General Plan designation;
- (v) The site is within three thousand (3,000) linear feet of an existing billboard.

(g) Candidate billboards for relocation. The following considerations shall serve as general guidelines in identifying candidate billboards for relocation:

(1) Areas of general priority for removal and relocation:

- (i) Redevelopment project areas;
- (ii) Along major thoroughfares leading into commercial districts;
- (iii) Visible to freeways and highways;
- (iv) On streets upon which billboards are heavily concentrated and contribute to existing visual clutter.

(2) Candidate billboards must be legal non-conforming billboards. Illegal billboards shall not be candidates for relocation agreements.

(h) Findings. The following findings must be made in order to approve a billboard relocation agreement:

- (1) The proposed agreement is consistent with the goals, objectives, purposes and provisions of the Ontario General Plan, the

Ontario Development Code, and any applicable specific plan;

- (2) The proposed relocation site is compatible with uses and structures on the site and in the surrounding area;
- (3) The proposed agreement contributes to the reduction of visual clutter in the City;
- (4) The proposed site complies with the relocation criteria listed in this section;
- (5) The proposed billboard would not create a traffic or safety problem with regard to on-site access, circulation or visibility.

(i) Review process. Any relocation agreement shall be reviewed and approved by the City Council. Any billboard proposed under this section will require the filing of a sign permit application, with accompanying fees, to the Planning Department. Once the application is determined complete, the sign permit will be scheduled for review by the Planning Commission. The decision of the Planning Commission shall be final unless an appeal, with the accompanying fees, is filed with the Planning Department within ten (10) days of the Planning Commission's action.

(Ord. 2763, eff. October 17, 2002)

Sec. 9-1.3177. Street banners.

(a) No person, either as principal, agent, or otherwise, shall hang or suspend any street banner, flag, pennant, or street decoration over and above any street or other public thoroughfare, or cause the same be done, unless permission to do so has first been obtained from the Council. Such street banner, flag, pennant, or street decoration shall be safely suspended not less than twenty (20) feet above such public thoroughfare to the satisfaction of the Chief Building Official. The advertising matter upon such signs shall not contain the name or designation of any individual, firm, or corporation as an advertisement for private gain. Such signs shall not remain in place longer than thirty (30) days from the date permission is granted by the Council. Upon receipt of the written permission of the Council, the Chief Building Official shall, upon receipt of the required application thereof, issue a permit for the erection and maintenance of such sign according to the terms of the Council permission.

(b) Exceptions.

(1) The provisions of this section shall not apply to any sign or advertising matter lettered upon the surface of any awning; provided, the awning is securely attached to the building and the fringe of such awning is not less than seven (7) feet above the sidewalk level immediately below.

(2) The provisions of this section shall not apply to approved economic development promotional banner programs applied for by civic organizations created or incorporated to promote the economic development and/or business growth of the City. Such organizations as may be approved by the City Council, and including but not limited to the Ontario Chamber of Commerce and the Downtown Ontario Business and Professional Association, may submit a sign program application to the Development Agency for purposes of implementing a promotional banner program which would utilize City light standards in the public right-of-way. Such promotional banner program may include the name of an individual firm, business, or corporation who sponsored the banner(s). The sponsors name shall be secondary and subservient to the main intent of the banner which is to promote economic development messages (i.e.: "Shop Ontario") to the general public. Such promotional programs shall be reviewed by the Development Agency for design, location, placement, and safety considerations and shall comply with guidelines adopted by the Planning Commission from time to time.

(Former § 8-8.25; § 10(c), Ord. 1022, eff. September 1, 1954)

Sec. 9-1.3178. Street Banner Program.

A Street Banner Program shall comply with Ordinance No. 2704 and shall be subject to review for approval by the Development Agency and must adhere to the following guidelines:

(a) Application. The Street Banner Program application shall contain the following information for all street banners:

- (1) Design. Banner design, materials, colors, letter style and dimensions shall be clearly illustrated.
- (2) Elevations. Elevation drawings of a respective light pole with banner(s) attached shall be fully dimensioned.
- (3) Location. A plot plan illustrating all street right-of-ways and specific streetlight poles shall be drawn to show the proposed

City of Hemet

Sec. 90-1280. - Prohibited signs.

The following signs are prohibited in all zones:

- (1) Banner signs, bunting, streamers, pennants and flags, except as specifically permitted in subsections 90-1250(c) and (f) or those flags excluded as "signs" under section 90-1242
- (2) Devices projecting or otherwise reproducing the image of a sign or message on any surface or object.
- (3) General outdoor advertising signs, except legal nonconforming signs as permitted in subsection 90-1281(c).
- (4) Hand-held commercial signs, except as permitted under subsections 90-1250(c)(3) and 90-1251(4).
- (5) Inflatable signs, except balloons as permitted under subsection 90-1251(4).
- (6) Mobile signs.
- (7) Moving and flashing signs.
- (8) Off-site signs.
- (9) Portable commercial signs.
- (10) Roof signs.
- (11) Signs located in such a manner to constitute a potential traffic hazard or obstruct the view of any authorized traffic sign or signal device, or designed to resemble or conflict with any authorized traffic control sign.
- (12) Signs emitting audible sounds, odors or particulate matter.

(Ord. No. 1751, § 3, 12-20-05)

Sec. 90-1281. - Legal nonconforming signs.

- (a) *Generally.* In order to limit the number and extent of legal nonconforming signs created by the adoption of this article, it is the intent to permit nonconformities to continue until they are removed, but not to encourage their survival. Therefore, a sign existing before the effective date of the original ordinance codified in this article (August 28, 1984), or existing on the date of any amendment to this article or a zone change or annexation to the city, may be used in accordance with other provisions of this article, provided that no such legal nonconforming sign may be enlarged, expanded, extended, altered, moved, reestablished after abandonment, or restored after destruction, except that the text or sign face of a legal nonconforming sign may be changed as long as there is no change in area or sign structure.
- (b) *Special circumstances.* In accordance with California Business and Profession Code § 5499, no legal nonconforming sign will be required to be removed on the sole basis of its height or size if special topographic circumstances would result in a material impairment of visibility of the sign or the owner's or user's ability to adequately and effectively continue to communicate to the public through the use of the sign. The owner or user may maintain the sign at the premises and at a location necessary for continued public visibility at the height or size at which the sign was previously lawfully erected pursuant to all applicable codes, regulations and permits. Any such sign will be deemed to be in conformance with this article.
- (c) *Legal nonconforming general outdoor advertising signs.* Existing legal nonconforming general outdoor advertising signs may be relocated when the following requirements are met:
 - (1) Proof that the existing sign was legally erected.
 - (2) A conditional use permit has been approved in accordance with sections 90-42 through 90-42.11 of this Code. Prior to approval of the conditional use permit, an additional finding must be made by the approving authority that the removal and relocation of the general outdoor advertising sign fulfills a public purpose. In furtherance of that requirement, the conditional use permit must include a requirement that the sign be made available for use by the city for civic advertising purposes, at no charge, for up to a maximum of 30 calendar days per year, on such terms as may be set forth in the conditional use permit.
 - (3) The existing sign must be removed prior to erecting a new sign.
 - (4) If the existing sign was double-faced, then its replacement may be double-faced. However, in no case may the sign area exceed 300 square feet per face. The maximum height of the sign may not exceed 25 feet. In addition, existing single-faced signs currently located within the D-1 and D-2 (Downtown) zone districts may be relocated outside of the D-1 and D-2 zone districts with a double-faced sign.
 - (5) The relocated sign may not be illuminated unless the original sign was illuminated.
 - (6) If the sign is illuminated, the illumination must be turned off no later than 10:00 p.m.
 - (7) There may be no moving parts or electrification of the sign.

(Ord. No. 1751, § 3, 12-20-05)

City of Hesperia

16.36.100 - Billboards.

- A. Purpose. For the purposes of regulating excess signage, encouraging the positive economic development of the city, promoting the safety of the traveling public, protecting existing property values in both residential and nonresidential areas, preventing the overcrowding of land, promoting a positive community appearance as part of a concerted city wide effort to protect and enhance the aesthetics of the city for the enjoyment of all citizens. The regulations are designed to prevent their overconcentration, improvement placement, and excessive height, bulk, number and area. It is recognized that, unlike on-premises identification signs, which are in actuality a part of a business, billboards are a separate and distinct use of the public thoroughfare. With a view to this distinction, billboards are regulated differently from on-premises signs. It is intended that billboards be located away from residential areas, and that such signs be regulated to protect the character of the area wherein billboards are located, and to conserve property values in these areas.
- B. Prohibition of New Billboards. New billboards are prohibited, and the erection, alteration, construction, replacement, use, installation or conversion of any billboard within the city is prohibited. No permit shall be issued for any billboard which violates this policy. This paragraph shall be construed liberally to broadly prohibit any new billboard of any kind within the city, unless a permit is issued pursuant to a relocation agreement described in paragraph C of this Section 16.36.100, below. With regard to any existing billboard lawfully constructed prior to the city's incorporation nothing in this paragraph shall be construed as prohibiting: (1) the ordinary maintenance, poster panel replacements, copy changes, or repair (excluding repairs involving structural, material, or electrical changes, which are prohibited) of such billboard, or (2) the replacement of a billboard by permit, consistent with Section 16.12.316(C) of the code.
- C. Relocation of Existing Billboards. Billboards or digital advertising displays may only be constructed, relocated, or upgraded upon the approval of a relocation agreement and site plan review by the city council, and consistent with the following criteria:
1. **No billboard may exceed six hundred seventy-two (672) square feet.** The sign area is measured by finding the area of the minimum imaginary rectangle or square of vertical and horizontal lines that fully encloses all extremities of the sign, excluding supports, the base or apron unless such copy, message, announcement or decoration appears on the base or apron. The allowable sign area of signs with equal size and shape for both double-faced (back-to-back) and V-type signs is measured by computing the area of only one side of the sign. Both sides of a double-faced or V-type sign shall be of equal size. The sign area of signs with three or more sides (multiple-side signs) containing copy message, decoration or announcement visible from a street, highway or expressway is measured as the sum of the area of any two adjacent sides. The digital advertising display areas of the sign, if any, shall be calculated as part of the permitted sign area.
 2. No billboard or part thereof, including base or apron, supports, supporting structures and trim, may exceed thirty-five (35) feet in height. Any required solar or wind power devices shall not be counted as part of the billboard's height.
 3. All signs shall comply with the appropriate detailed provisions of the latest adopted edition of the California building codes.
 4. Billboards shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the California Electric Code and the development standards of any public or private electrical provider; provided, that in no case shall a billboard be erected closer than ten feet horizontally or vertically from a conductor or public utility guy wire.
 5. No part of a billboard may be located within a triangular area formed by the street right-of-way lines and a line connecting them at points thirty (30) feet from the right-of-way intersection.
 6. No part of any billboard shall be located less than one thousand (1,000) feet from any part of another billboard, measured in all directions.
 7. Billboards shall not be permitted in any historic, residential, or agricultural district. Billboards shall only be relocated within the regional commercial, office park or commercial industrial business park districts, on a parcel located within six hundred sixty (660) feet of the freeway.
 8. Billboards shall not be permitted on any designated scenic street, road, drive, parkway or highway.
 9. Billboards shall not be permitted within seven hundred fifty (750) feet of any residential district, historic district, park, school, church, hospital, retirement home, cemetery, convention center, or government building.
 10. Billboards shall not be permitted on or over the roofs of buildings.
 11. Billboards shall not be permitted at any bridge crossing or situated to impair any scenic vistas.
 12. Billboards shall not be permitted to be stacked over or placed next to any other billboard.
 13. Any billboards or digital advertising displays shall be required to provide for public service announcements, Amber Alerts and other community service announcements.
 14. Digital advertising displays may be approved as part of a sports facility as defined herein, subject to approval of a digital agreement with the owner to facilitate public service announcements and Amber Alerts. Digital displays may advertise products or services that are or will be available in the premises and/or products or services provided by the principal sponsors of the facility pursuant to an agreement of at least one year duration between the vendor or sponsor and the property owner, facility owner or facility operator.
 15. **Nonconforming billboards owned by the same advertising company within the city boundaries shall be removed prior to issuance of permits for the new billboard or the conversion of an existing billboard to a digital advertising display at a ratio of three sign faces to one.**
 16. Where removal is not possible, the city may consider other provisions in the relocation agreement, including, but not limited to, as increased public service announcements, construction of city entry monuments or payment to the city.
 - 17.

No billboard or digital advertising display shall depict or simulate any motion or video (i.e., video clips, flashing, etc.). Any slide (image) shall be displayed for a minimum of six seconds and transitions between slides shall not exceed one second.

- 18. Each billboard shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The nighttime intensity shall be limited to 0.3 foot candles (over ambient levels) as measured at a present distance as established by the Lewin Report as prepared for the Outdoor Advertising Association of America (OAAA). The city may modify or further restrict the intensity of any billboard or digital advertising display should the lighting create a distraction to drivers.
- 19. Generators shall not be used to power any billboards. All relocated or reconstructed billboards, not including digital displays, shall incorporate solar or wind power to offset at least seventy-five (75) percent of their energy use.

(Ord. 296 § 4 (Exh. A (part)), 2000)

(Ord. No. 2009-02, § 4, 8-4-09)

16.36.110 - Design standards.

- A. Signs shall be designed and be constructed of materials that relate to the architectural style of the main or principal building (s) on the lot. When more than one sign is permitted on a site, the style of all signs on a parcel shall be coordinated architecturally.
- B. Illuminated signs shall be designed so that illumination shall be internal or if external shall be directed fully onto the sign face (s).
- C. When monument signs use planters to increase height or area, planters shall be three feet wider than the monument, not more than three feet high, and be landscaped with a permanent irrigation system.
- D. All signs shall be maintained in proper repair. All signs shall be kept clean and graffiti free. Any structural or electrical damage shall be repaired immediately.
- E. Signs are not permitted in the public right-of-way except signs erected by or on behalf of a governmental entity. This includes bus stop signs erected by a public transit authority and conveying a commercial message. Any other sign placed on public property, except in conformance with this section, shall be forfeited to the public or subject to summary abatement. In addition, the city shall have the right to recover the full costs of removal and disposal of any sign.
- F. No part of any freestanding sign, including the footing, shall be located closer than one foot from any property line.
- G. The leading edge or footing of a sign shall be located no closer than one foot from the existing right-of-way line. Where the planned right-of-way is greater than the existing right-of-way, the property owner shall enter into an agreement with the city to relocate the sign at the property owner's expense whenever such right-of-way is expanded.
- H. When a freestanding sign is within a front or street side yard setback area, or is located within the clear sight triangle, the sign face shall be at least eight feet above grade.
- I. The height of a projecting sign shall not exceed the height of the building to which it is attached.
- J. Banners used as permanent signs shall be regulated in size, location and proportion to a building face in accordance with the sign menu (Section 16.36.130). The area of banners shall not exceed fifty (50) percent of any building face's allocation.

(Ord. 296 § 4 (Exh. A (part)), 2000)

16.36.120 - Previously permitted signs and amortization.

- A. "Grandfathering" of Permitted Signs. Any sign erected with permits in accordance with any prior code or this chapter in effect at the time of construction, may remain in place indefinitely. Permitted signs made nonconforming by this chapter are included in this provision, unless they subsequently become subject to subsection D of this section.
- B. Persons who cannot produce evidence of a permit as required by subsection A of this section may appeal the abatement of their sign to the community enhancement committee. The appeal fee shall be set by resolution of the city council. The committee shall hold a public hearing on the matter and may consider the following factors:
 - 1. Special topographic circumstances of the site, building or the sign;
 - 2. Special historical or cultural significance to the community;
 - 3. Special architectural significance or design limitations that would necessitate the type of sign requested;
 - 4. Other factors including, but not limited to, adjacent structures or signs, public improvements, specimen trees or existing landscaping that are relevant in the placement or design of the sign in relation to its location within the development.
- C. Amortization of Nonconforming Signs—General.
 - 1. Every sign not described in California Business and Professions Code Subsection 5490(b) and which does not comply with the provisions of the prior code or this chapter shall be amortized and abated in accordance with the following schedule:

Value	Time Period
Signs costing under \$1,000 (per sign)	1 year
Signs \$1,000	3 years

and over but under \$5,000 (per sign)
 Signs costing \$5,000 and over (per sign)

7 years

2. The city, in accordance with the latest material valuation schedules shall determine the value of a nonconforming sign unless a verified receipt or contract is produced to prove the value.

D. Abatement of Existing Signs. Notwithstanding the status of any sign, whether previously permitted, grandfathered or approved by the committee, that fall within the criteria listed below, shall immediately be removed from the site, without compensation, under any of the criteria as follows:

1. Any sign which has been more than fifty (50) percent destroyed or damaged (other than destruction of the facial copy) and the display cannot be repaired within thirty (30) days of the date of its damage or destruction;
2. Any sign which is a danger to the public or is unsafe; and
3. Any sign that constitutes a traffic hazard, such as a sign that simulates or interferes with signs or signals, (not created by the relocation of any street or highway or by any other act of the city);
4. Any sign erected without a permit after the effective date of the ordinance codified in this chapter.

E. Amortization and Abatement of Nonconforming Billboards.

1. Nonconforming billboards located in an area designated on the general plan and zoned as either agricultural or residential and more than six hundred sixty (660) feet from the edge of the right-of-way of a freeway or primary highway, which have copy not visible or intended to be read from such freeway or primary highway, shall be removed from the site without compensation in accordance with the following schedule:

Fair Market Value on Date of Notice	Maximum Years Allowed
Under \$1,999.00	2
\$2,000.00 to \$3,999.00	3
\$4,000.00 to \$5,999.00	4
\$6,000.00 to \$7,999.00	5
\$8,000.00 to \$9,999.00	6
\$10,000.00 and over	7

2. This amortization period shall commence upon receipt of written notice of nonconformance.
 (Ord. 296 § 4 (Exh. A (part)), 2000)

Proposed Alternative Ordinance Changes to Chapter 21.54

21.54.160 Citywide billboard capacity limited.

The City of Long Beach finds that, at the time of adoption of this Chapter, a plenitude of modes of advertising were available via television, newspaper, magazines, circulars, direct mail, bulk mail, internet, email, mobile phones, city bus ads, bus stop posters, and other constantly-developing sources of ad placement. Also, the City finds that a sufficient or more than sufficient amount of billboard advertising capacity exists in the City to meet or exceed the community's need for outdoor advertising, and that a reduction in the amount of billboards Citywide will not impose any hardship upon the community through diminution of overall advertising capacity or options. Therefore, no building permit shall be issued for a new billboard, conversion of an existing non-electronic billboard to an electronic billboard, or expansion or addition of faces to an existing billboard, unless the following conditions are met:

A. An existing billboard or billboards nonconforming to this Chapter shall first be removed from within the City as follows (see Table 54-2 for summary):

1. If a new electronic billboard is proposed, nonconforming billboard(s) totaling ~~8~~4 times the display surface area of the proposed electronic billboard shall be removed.
2. If conversion of an existing billboard to an electronic billboard is proposed, nonconforming billboard(s) totaling 4 times the display surface area of the existing size of the converted billboard shall be removed. ~~If the billboard is proposed to be expanded as part of the conversion to electronic, it shall be considered a new electronic billboard and nonconforming billboard(s) totaling 8 times the display surface area of the final size of the proposed billboard shall be removed.~~
3. If a new non-electronic billboard is proposed, nonconforming billboard(s) totaling ~~6~~4 times the display surface area of the proposed billboard shall be removed.
4. If expansion of an existing electronic billboard is proposed, the portion that represents a net increase over the existing display surface area shall require removal of existing nonconforming billboard(s) totaling ~~8~~4 times the area of the net increase.
5. If expansion of an existing non-electronic billboard is proposed, the portion that represents a net increase over the existing display surface area shall require removal of existing nonconforming billboard(s) totaling ~~6~~4 times the area of the net increase.

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6. If a new electronic or non-electronic billboard is proposed to be relocated or constructed upon City-owned property, nonconforming billboard(s) totaling the same display area as the proposed billboard shall be removed.
7. Nonconforming billboards shall be removed with the following priority:
 - a. Nonconforming billboards located in a residential zoning district and not adjacent to a street classified as a Freeway, Regional Corridor, or Major Arterial;
 - b. Nonconforming billboards located in a Planned Development District allowing residential uses and not adjacent to a street classified as a Freeway, Regional Corridor, or Major Arterial;
 - c. All other nonconforming billboards located in a residential zoning district or Planned Development District allowing residential uses;
 - d. All other nonconforming billboards located in a General Plan Land Use District allowing residential uses but not located in a residential zoning district or Planned Development District allowing residential uses;
 - e. All other nonconforming billboards located in an active Redevelopment Project Area; and
 - f. All other nonconforming billboards.

**Table 54-1
Billboard Development Standards**

Type of Billboard	Maximum Area (sq. ft.)	Max. Height	Standard Spacing between billboards (a)	Street Classification Types Allowed (b)	Zoning Districts Allowed
1. New freeway-oriented billboard, electronic or non-electronic	675 sq. ft.	40 ft. above nearest freeway lane.	1,000 ft. between electronic, 500 ft. between non-electronic	Freeway, Regional Corridor, or Major Arterial (c)(d)	<u>CNP, CAN, CNR, CCA, CCP, CCR, CCN, CHW</u> ^(e) , <u>CS, IL, 1M, IG IP</u> ^(f)
2. Other new billboard, electronic or non-electronic	300 <u>675</u> sq. ft.	35 ft. above curb grade.	1,000 ft. between electronic, 300 ft. between non-electronic	Regional Corridor, or Major Arterial only (c)(d)	<u>CNP, CAN, CNR, CCA, CCP, CCR, CCN, CHW</u> ^(e) IL, IM, IG
3. Conversion of existing billboard to electronic (with or without expansion of area)	675 sq. ft. (g)	No higher than existing billboard, or 35 ft. above curb grade (or 40 ft. above nearest freeway lane, if freeway-oriented), whichever is greater.	1,000 ft. between electronic billboards	Freeway Regional Corridor, or Major Arterial only (c)	<u>CNP, CAN, CNR, CCR, CCN, CCA, CCP, CHW</u> ^(e) , <u>CS, IL, 1M, IG IP</u> ^(f)
4. Expansion of existing electronic or non-electronic billboard (includes addition of faces; does not include conversion to electronic)	300 sq. ft., 675 sq. ft. if freeway-oriented	No higher than existing billboard, or 35 ft. above curb grade (or 40 ft. above nearest freeway lane, if freeway-oriented), whichever is	N/A	Freeway, Regional Corridor, or Major Arterial only (c)	<u>CNP, CAN, CNR, CCA, CCP, CCR, CCN, CHW</u> ^(e) , <u>CS, IL, 1M, IG IP</u> ^(f)

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Footnotes:

(a) Required spacing between billboards on same side of the right-of-way.

(b) Street classifications are as shown on the Functional Classification of Streets map in the Transportation Element of the General Plan. See equivalence table (Table 54-1A) for updated designations adopted into the pending (as of 2011) General Plan Mobility Element.

(c) If a lot has frontage on a right-of-way that is a Freeway, Regional Corridor, or Major Arterial, and on a street that is not a Freeway, Regional Corridor, or Major Arterial, the billboard shall be located no more than 25 feet from the property line with frontage on a Freeway, Regional Corridor, or Major Arterial.

(d) Any billboard adjacent to a freeway right-of-way, but not freeway-oriented and not adjacent to a Regional Corridor or Major Arterial, shall be prohibited.

(e) Also allowed in the deprecated CH commercial highway zoning district.

(f) Billboards in the IP zoning district shall require approval of the Harbor Department prior to application for a Conditional Use Permit.

(g) Size shall not be increased over that of the existing billboard unless explicitly approved by the Planning Commission.

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**Table 32-1
Uses in All Other Commercial Zoning Districts**

	Neighborhood			Community				Regional	Other	
Billboards	CNP	CAN	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Billboards	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	C	C	Subject to special standards (see Chapter 21.54). Non-freeway oriented billboards prohibited in CS District

Table 54-2

Summary of Billboard Removal Ratios

Under Section 21.54.160.A (Nonconforming billboards still present in City)	
Project	Required Removal Ratio
1. New electronic billboard	8 <u>4</u> times the area of the proposed billboard
2. New non-electronic billboard	6 <u>4</u> times the area of the proposed billboard
3. Conversion of existing billboard to electronic with no expansion of area	4 times the area of the billboard to be converted
4. Conversion of existing billboard to electronic with expansion of area	8 <u>4</u> times the area of the final size of the proposed billboard
5. Expansion of existing electronic billboard	8 <u>4</u> times the area of the proposed net increase in area
6. Expansion of existing non-electronic billboard	6 <u>4</u> times the area of the proposed net increase in area.
Under Section 21.54.160B (All nonconforming billboards have been removed from City)	
Project	Required Removal Ratio

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1. New electronic or non-electronic billboard	Area equal to the proposed billboard
2. Conversion of existing billboard to electronic	Area equal to the proposed billboard
3. Expansion of existing billboard (electronic or non electronic)	Area equal to the proposed net increase.