

**ATTACHMENT B
ORDINANCE NO. _____**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
COMMERCE, CALIFORNIA ENACTING ZONING ORDINANCE TEXT
AMENDMENT (“ZTA”) NO. 25-02 AMENDING TITLE 19, CHAPTER 19.25
OF THE COMMERCE MUNICIPAL CODE (SIGNS) AMENDING
EXISTING BILLBOARD REGULATIONS AND ADDING CITY-WIDE
DIGITAL BILLBOARD REGULATIONS**

WHEREAS, the City of Commerce (“City”) is a general law city, incorporated under the laws of the State of California; and

WHEREAS, the proposed zoning text amendment is consistent with the City of Commerce General Plan, as it would help to further the goals and objectives of the Plan through the establishment of reasonable regulations designed to protect the public health, safety, and welfare, reduce confusion for the traveling public, and improve the appearance of the city by regulating and controlling the size, location, design, quality, illumination, construction, maintenance, and use of all signs and advertising displays in the City of Commerce; and

WHEREAS, if adequately regulated, digital billboard signs contribute to the economic vitality of the City by promoting businesses and goods and services within the City and providing public benefits to the residents of the City; and

WHEREAS, on _____, 2025, a duly noticed public hearing of the City of Commerce Planning Commission was held and the Planning Commission recommended that the City of Commerce City Council adopt this Ordinance; and

WHEREAS, on _____, 2025, the City Council of the City of Commerce held a duly notice public hearing; and

WHEREAS, all other legal prerequisites for the adoption of this Ordinance were satisfied.

**NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF COMMERCE
DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. The above recitals are true and correct and incorporated herein as part of the findings.

Section 2. The City Council hereby finds that the adoption of this Ordinance is exempt from CEQA because it is a ZTA which regulates billboards, which will not have a

direct or reasonably foreseeable indirect physical change in the environment and does not qualify as a “project” under CEQA because it will not make physical changes to the environment pursuant to CEQA Guidelines Section 15378(b)(5). In addition, the Ordinance is also exempt from CEQA under CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3) - Common Sense Exemption 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 and CEQA Guidelines Sections § 15301 and § 15303. All future billboard proposals will require their own environmental review as outlined by CEQA guidelines.

Section 3. Pursuant to Section 19.39.310 of the Commerce Municipal Code, the City Council hereby finds that this Ordinance is consistent with the following goals, policies, and objectives of the City’s General Plan:

- A. Enacts reasonable regulations for existing signs and digital billboard signs providing an orderly pattern of development in the City. (Land Use Element Section 3.3 – Community Development Policies).
- B. Furthers and is consistent with providing for the development of a wide range of commercial activities within the City. (Land Use Element Section 3.3 – Community Development Policies).
- C. Creates a stronger employment and commercial base to finance public improvements and services. (Land Use Element Section 3.3 – Community Development Policies).
- D. The Ordinance amends provisions of the Commerce Municipal Code that provide for the removal of obsolete signage. (Land Use Element Community Development Policy 6.2).
- E. The Ordinance enacts regulations applicable to new digital signs that may be incorporated as part of commercial and industrial developments and will promote quality and efficient development. (Land Use Element Community Development Policy 6.2).

Section 4. Chapter 19.25 of the Commerce Municipal Code entitled “Signs” is hereby amended in its entirety as follows:

CHAPTER 19.25 - SIGNS

DIVISION 1. - GENERAL

19.25.010 - Intent and purpose.

The purpose of this chapter is to establish regulations designed to protect the public health, safety, and welfare, reduce confusion for the traveling public, and improve the appearance of the city by regulating and controlling the size, location, design, quality,

illumination, construction, maintenance, and use of all signs and advertising displays in the City of Commerce.

19.25.020 - Definitions.

In addition to the definitions set forth in Chapter 19.45, the following definitions shall apply to the provisions of this chapter:

"Abandoned sign" means any sign that no longer advertises a business, tenant, owner, product, service, or activity on the site where the sign is displayed.

"Advertising display" means signs, banners, displays of merchandise, and sign structures used for announcements, business names, or advertising goods or products.

"Area of sign" means the entire area of the sign, enclosing all letters, symbols, pictures, or figures forming a display, with the area boundaries formed by no more than eight straight lines. Sign area includes all faces of the sign, but excludes all supports and uprights, superficial column covers, trims, and other objects attached to the sign but which do not convey a message.

"Billboard sign" means a sign soliciting public support or directing public attention to the sale, lease, hiring or use of any objects, products or services not associated with the property where the sign is located, as regulated by California Business and Professions Code Sections 5200—5499. For purposes of this chapter, a billboard sign shall not include a sign solely advertising the business(es) located on the premises where such sign is erected and maintained. A billboard sign may consist of either static or digital displays, as defined in this section, and may be referred to in the Commerce Municipal Code as "static billboard sign" or "digital billboard sign". See "Off-site sign."

"Billboard identification sign" means the sign which displays the name of the billboard sign owner and identification number.

"Construction sign" means a temporary sign stating the names of individuals or firms directly connected with the work on a building or facility under construction or alteration; a temporary sign announcing the future use of the property on which the sign is located.

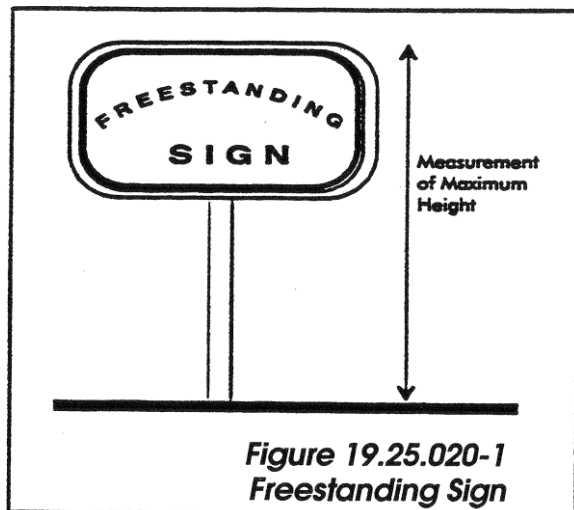
"Development agreement" is the agreement entered into between an applicant or developer and the city authorizing new construction of billboard, as defined in this chapter, or replacement of a billboard, as defined in this chapter, within the city's jurisdictional boundaries.

"Digital display or sign" means the face of a billboard that is comprised of a digital or electronic face with intermittent messages.

"Director" means the Director of Economic Development and Planning.

"Flashing sign" means a sign having conspicuous and intermittent variation in lighting; a sign incorporating intermittent electrical impulses from a source of light or a light revolving in a manner that creates the illusion of flashing.

"Freestanding sign" means a sign supported from the ground by one or more poles or posts and with or without braces, including ground signs and monument signs.



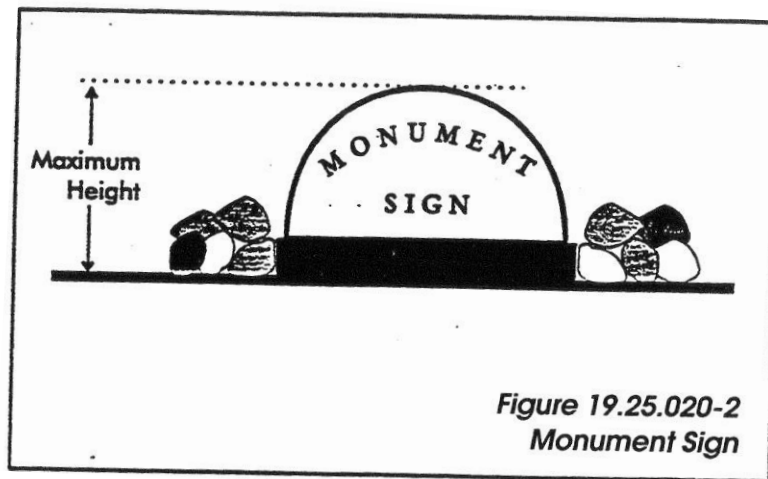
"Freeway oriented sign" means a freestanding sign designed to be visible to and provide identification for businesses from a freeway or state highway, and which exceeds the standard height or area limitations applicable to other signs in the same zone.

"Ground sign" means a sign that is completely or partially supported by a structural element and is not an integral part of a building. It includes post signs, pole signs, freestanding signs, pylon signs, detached signs, and signs attached to or painted on fences, screening walls or similar structures.

"Height of ground sign" means the vertical distance from the uppermost point of a sign to the prevailing grade directly below that point.

"Illuminated sign" means a sign designed to emit or brightly reflect artificial light, or a sign that uses a source of light to make characters or a message more readable.

"Monument sign" means a freestanding sign with a solid base, where the bottom of the sign is in contact with or close to the ground and is independent of any other structure, and where the bottom of the sign face is three feet or less above the surrounding grade, and the top of the sign frame is six feet or less than the surrounding grade.



"New construction" means the construction of a new sign including the sign face and support structure.

"Nonilluminated sign" means a sign that is not illuminated, either internally or externally.

"Off-site sign" means a sign that directs attention to a business, commodity, industry, or other activity that is sold, offered, or conducted elsewhere than on the premises on which the sign is located. See "Billboard."

"On-site sign" means a sign that directs attention to a business, product, service, industry, or other activity that is sold, offered, or conducted on the premises upon which the sign is located.

"Outdoor advertising display" means a sign, display of merchandise, or device that is placed outside of a building or is otherwise open to public view.

"Outdoor advertising structure" means a structure of any kind or character on which an outdoor advertising display is placed. See "Sign structure."

"Political Campaign Sign". See Commerce Municipal Code, Chapter 9.40.

"Portable sign" means a sign that can be moved, including sandwich boards, A-frames, placards, and trailer-mounted signs.

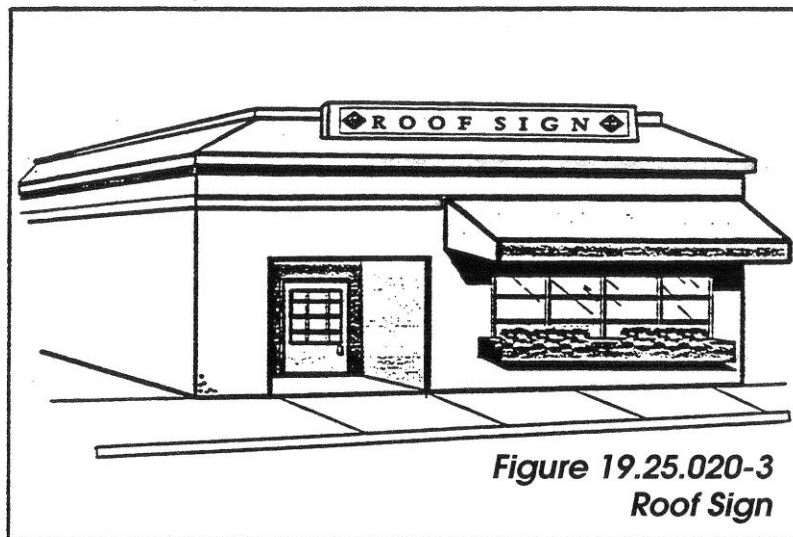
"Readerboard" or "electronic sign" means an electronic sign with lighted copy that moves, flashes, scrolls, changes color, or otherwise displays a continuous or intermittent changeable message that advertises a business, product, service, or event associated with the property on which the sign is located.

"Real estate sign" means a temporary sign relating to the rental, sale, lease, or other disposition of the real property on which the sign is located.

"Repair" means the changing or upgrading of the sign face and/or support structure to a comparable design (like for like) due to damage.

"Replacement" means the complete replacement or conversion of a static billboard sign (face and support structure as needed) with a digital billboard sign.

"Roof sign" means a sign erected or printed entirely on or above the roof.



"Sign" means a device used for visual communication, promotion, or advertisement of the interests of a person, group, or enterprise. Signs may include an announcement, declaration, demonstration, display, insignia, or illustration.

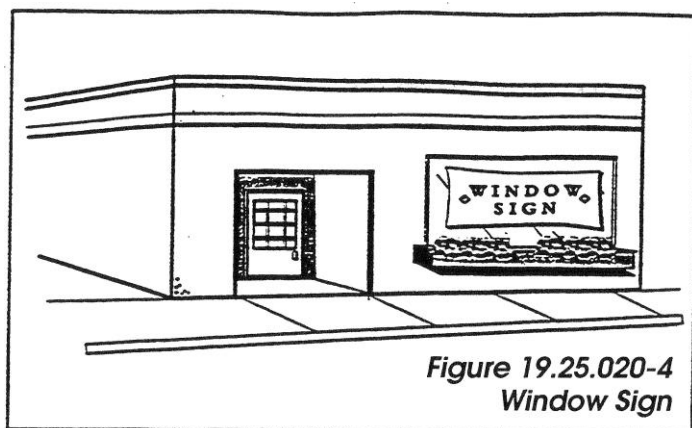
"Sign structure" means a structure of any kind or character erected or maintained to support a sign; a physical support used exclusively as a stand, frame, or background for the support or display of signs or advertising. See "Outdoor advertising structure."

"Static sign or display" means the face of a billboard sign that has a fixed, printed face; is not digital and does not have a variable message display.

"Wall sign" means a sign that is posted, affixed, suspended, or painted on an exterior wall of a building or structure.

"Wind sign" means a sign or device that is designed with one or more streamers, banners, flags, balloons, or other objects that are intended to move when exposed to the wind.

"Window sign" means a sign or message posted, painted, affixed, or attached to a window surface.



*Figure 19.25.020-4
Window Sign*

19.25.030 - Applicability.

- A. No sign or advertising display shall be erected or maintained that does not comply with the provisions of this chapter and any other applicable statutes or laws.
- B. The requirements of this chapter shall be applied in addition to any other requirements contained in this Title 19.
- C. In the event of direct and irreconcilable conflict between any provisions of this chapter and any other provisions of this Title 19 or any other provisions contained in the Commerce Municipal Code, the more restrictive requirements shall govern.

19.25.040 - Permits.

- A. A sign permit shall be required prior to the placing, erecting, moving, reconstructing, altering, or displaying of any sign or advertising display in the city except for billboard signs subject to the provisions of Division 4 of this chapter. An application for a sign permit for each sign or advertising display shall be made to the community development department to first determine if the application conforms to all of the applicable provisions of this Title 19.
- B. Upon approval of the community development department (if a permit is required), the applicant shall submit an application to the building department for a building permit and shall provide such information and fees as the building official may prescribe. The property owner or the authorized agent of the property owner shall make the application, and shall include the following information:
 - 1. All signs and advertising displays shall be designed, constructed, and maintained as specified in the latest edition of the city building code.
 - 2. The supporting members of all signs and advertising displays shall be free of any extra bracing, angle iron, guy wires, cables, etc. The supports of all signs and advertising displays placed upon or attached to buildings shall be an architectural and integral part of the building.

3. The backs of all signs and advertising displays shall be screened, encased, or otherwise covered so that no structural members are visible to the public.

19.25.050 - Exempt signs.

The following signs shall not be subject to the provisions of this chapter:

- A. Signs placed by a governmental body or public utility, including signs required to be maintained by law.
- B. Flags of any nation, political subdivision, or flags identifying the business or organization on the site; provided, that not more than three flags are placed on any site.
- C. Nonilluminated directional or convenience signs, not exceeding six square feet in area and four feet in height, that facilitate traffic flow and safety, such as signs that say "entrance," "exit," "caution," "parking," "one-way," etc.
- D. Bulletin or announcement signs erected on the premises of churches, schools, and other public institutions, not exceeding one in number per street frontage and used solely for the purpose of stating items related to activities conducted on the premises; provided, such signs do not exceed thirty square feet in area and six feet in height above ground level.
- E. Nonilluminated warning signs not exceeding two square feet in area and four feet in height, such as signs that say "no trespassing," "beware of dog," "no parking," "no soliciting," etc.
- F. One name plate containing the name and/or profession of the occupant of the premises upon the building for each tenant occupant, not exceeding an area of one square foot.
- G. One temporary, nonilluminated construction sign per parcel, not exceeding an area of six square feet in residential zones or thirty-two square feet in all other zones. Such signs shall be removed within seven days following removal of the property from the market.
- H. One temporary, nonilluminated real estate sign per parcel, not exceeding six square feet in residential zones or thirty-two square feet in all other zones. Such signs shall be removed within seven days following removal of the property from the market.
- I. Temporary (sixty days or less), noncommercial signs devoted to a religious, charitable, cultural, governmental, or educational purpose. Time and temperature signs shall be exempt from the sixty-day limitation.
- J. Signs located on real property either owned in fee by the city or over which an easement for public right-of-way purposes has been acquired by the city, where such signs are placed under permit or license approved by the city council, except for billboard signs subject to the provisions of Division 4 of this chapter.

- K. Murals, as defined by Section 19.45.140 of this Title 19.

19.25.060 - Prohibited signs.

- A. No sign or advertising display shall be attached to or placed upon any vehicle except those that are painted directly upon, or permanently affixed to the body of a vehicle used regularly in a business to which the sign or advertising display pertains. No vehicle shall be parked on any parking area or street for the purpose of displaying a sign or advertising display.
- B. Portable signs or advertising displays are not permitted.
- C. Flashing signs or advertising displays are not permitted.
- D. No sign, advertising display, or portion thereof shall rotate or revolve at a speed greater than eight revolutions per minute. Flashing, rotating, or revolving signs may be permitted by the director if he finds that one or more of the following conditions and prerequisites have been met:
 - 1. The proposed sign will be an on-site sign as defined in this chapter.
 - 2. The proposed sign will be located in the C/M-1, M-1, or M-2 zone.
 - 3. The proposed sign will not unreasonably cause or contribute to any unsafe traffic condition.
 - 4. The proposed sign will not be detrimental to the property owners in the area or to the general public.
 - 5. Because of the location of the proposed sign in relation to potential viewers and the nature of the business being advertised, motion or the appearance of motion in the sign is necessary to allow the sign to be noticed and viewed by such potential viewers.
- E. Wind signs or advertising displays are not permitted, except official flags or banners announcing public events placed by government entities.
- F. Signs or advertising displays that resemble or hide from view any official traffic sign, signal, or device; attempt to direct the movement of traffic; or interfere with, mislead, or confuse traffic are not permitted.
- G. Signs or advertising displays shall not be erected so as to constitute or potentially constitute a hazard to the safe and efficient operation of vehicles upon any street, highway, or freeway. Signs or advertising displays shall not utilize any light of any color of such brilliance or be positioned so as to blind or impair the vision of drivers upon the street, highway, or freeway, nor shall any light be placed in such position as to prevent the driver of a vehicle from readily recognizing any official traffic sign, signal, or device.
- H. Signs that are projected by electronic means, such as by a video projector or movie camera, are prohibited.

19.25.070 - Restrictions on sign types or features.

- A. No live animal or human being shall be used as a part of any sign or advertising display, except during authorized promotional activities and as approved by the director.
- B. No sign or advertising display shall emit sound of any kind for the purpose of attracting the attention of the general public.
- C. No person shall use, operate, or employ any projector, stereopticon, television, or motion picture machine in conjunction or attached to any sign or advertising display.

19.25.080 - Sign maintenance.

All signs and advertising displays and the ground area thereunder shall be maintained at all times in a state of good repair, free from deterioration, rot, rust, and loosening. The display surfaces of all signs and advertising displays shall be kept neatly painted or posted, and the area beneath and about the base of all signs and advertising displays shall be kept free of all weeds, rubbish, and inflammable waste materials by the owner of the sign or advertising display.

DIVISION 2. - ON-SITE SIGNS

19.25.090 - Residential zones sign regulations.

The number and type of signs allowed within residential zones are set forth in Table 19.25.100A. Signs in the R-1, R-2, and R-3 zones shall conform to the following provisions:

- A. Roof signs and projecting signs are not permitted.
- B. No sign shall extend above roof level of a building to which it is attached.
- C. Nothing contained herein shall be construed as permitting any type of sign in conjunction with a commercial use allowed as a home occupation.
- D. No permanent murals, figures, or pictures shall be painted or drawn on any exterior walls.

19.25.100 - Nonresidential zones sign regulations.

Table 19.25.100A sets forth the sign regulations applicable to all nonresidential zones.

Table 19.25.100A

PERMITTED SIGNS BY USE OR SIGN TYPE

Use or Sign Type	Type of Sign and Number Permitted	Size Restrictions	Other Regulations
Single-family residential development (4 acres or more)	2 nonilluminated neighborhood identification signs at each neighborhood entry point	Area = 10 sf maximum Height = 6 ft. maximum	None
Multifamily unit residential complex (5 units or more)	1 permanent building identification wall sign	Area = 10 sf maximum Height = 6 ft. maximum	No more than 1 sign per individual land parcel
Model Home, House for Sale	Real estate signs	Maximum 10 sf total sign area per individual land parcel	None

Freestanding signs in nonresidential zones	1 on-site sign with a maximum of 2 supports allowed for properties with less than 800 lineal feet of street frontage. 1 additional on-site sign allowed for properties with 800 or more lineal feet of street frontage	<p>Area = Maximum 1 sf per 1 foot of street frontage, and maximum area of 800 sf</p> <p>Height = 20 ft. maximum at front property line, plus 1 foot for each foot the sign is set back from the property line, and maximum height of 42 ft.</p>	<p>Minimum of 100 lineal feet of street frontage required</p> <p>No on-site sign shall exceed in area the equivalent of its distance in lineal feet from any residential zone, school, park, the Civic Center, or other recreational facility</p> <p>No on-site sign shall be located within 200 feet of any residential zone, school, park, City Council-designated City beautification area or City identification area, or the Civic Center</p>
--	--	---	--

Wall or roof signs in nonresidential zones	In place of a permitted	Area = Maximum 3 sf per 1 foot of building	In no case shall the size of a wall sign
--	-------------------------	--	--

	freestanding or readerboard sign, 1 roof sign and up to 3 wall signs, provided total combined roof and wall sign area does not exceed maximum permitted area	frontage for aggregate wall and roof sign area Height (roof signs) = Maximum of 5 ft. per building story, and maximum of 25 ft. above roof level	exceed 35% of the wall area on which it is located
Readerboard sign in nonresidential zones	1 sign per property with Conditional Use Permit in place of a permitted freestanding sign	Area = Maximum 1 sf per 5 feet of street frontage, and maximum area of 500 sf Height = 20 ft maximum at front property line, plus 1 foot for each foot the sign is set back, and a maximum height of 30 ft.	Not permitted under any circumstances within 750 linear feet of The Citadel property
Public Property	None permitted		No sign may project over a public right-of-way

19.25.110 - Temporary signs.

Temporary signs such as flags, streamers, banners, nonmetallic balloons twelve inches or less in diameter, and pennants used for special promotions may be permitted subject to the following standards:

- A. A business shall be limited to a maximum of five promotional periods per calendar year, with the exception of automobile dealerships, which shall be limited to nine promotional periods in a calendar year.
- B. A promotional time period shall consist of fourteen days or less. No more than two time periods can occur consecutively. If two promotional time periods are not consecutive, the time periods must be separated by at least fourteen days.
- C. A maximum of four temporary signs are allowed per event, including a maximum of two exterior temporary banners.
- D. Total sign area for temporary signs and exterior banners shall not exceed the total square footage of permanent on-site signage permitted under this chapter for the subject business. This does not include temporary inflatable objects such as air balloons.
- E. All signs and banners must be exclusively attached to the building structure. Streamers, pennants, balloons, etc., may be detached from the building structure, but may not be on or attached to public property or on adjacent private property, and not attached to utility poles or light standards within the public right-of-way. All temporary signs, including streamers, pennants, balloons, etc., must be at least ten feet above surrounding ground level, measured from the bottom of the sign (streamer, pennant, etc.) to the surrounding ground level.
- F. A temporary sign permit must be obtained for each promotional time period prior to placement of temporary signs, flags, banners, pennants, or balloons. Placement of all temporary signs, flags, banners, pennants, and balloons shall be subject to the approval of the director.
- G. Only one inflatable object such as a balloon larger than twelve inches in diameter, an inflatable statuary, or an air balloon is allowed and must be included as part of a permitted promotional period pursuant to this section, and shall not exceed seventy-five feet in height above grade or fifty feet above the building height.

19.25.120 - Redevelopment signs.

- A. Pursuant to Section 5273 of the California Business and Professions Code, a sign advertising businesses and activities within a redevelopment project area may be established. One such sign is permitted within each redevelopment project area.
- B. Each such sign shall have a maximum area of eight hundred square feet and maximum height of forty-two feet.
- C. Such signs shall be limited in number to one per freeway traversing the City of Commerce.

19.25.130 - Master sign plan.

- A. A master sign plan shall be required for all new nonresidential development projects with three or more tenant spaces, or for any nonresidential development involving the reconstruction and reuse of existing buildings with three or more tenant spaces.
- B. For the purposes of this section, a master sign plan shall be defined as an illustrative plan indicating the number, location, height, dimensions, orientation, materials, design, and colors of all proposed signage.
- C. Approval of a master sign plan by the planning commission shall be required whenever the director or designee determines that a master sign plan is needed because of special project characteristics (e.g., the size of proposed signs, limited site visibility, a business within a business, the location of the site relative to major transportation routes, etc.) or when unique, creatively designed signs are being proposed and certain aspects of the sign's design (e.g., animation) might not otherwise be allowed. Supporting documentation to the satisfaction of the director shall be required when requesting a master sign plan.

DIVISION 3. – OFF-SITE SIGNS

19.25.140 - Off-site signs permitted with restrictions.

- A. The installation of an off-site sign or advertising display shall be permitted only in (1) the Modelo Specific Plan zone subject to the restrictions of said specific plan and the Master Sign Plan approved concurrently therewith, as such plans may be modified from time to time, and (2) with the issuance of a development agreement, or lease or license agreement, as set forth in Division 4 of this chapter.

- B. No off-site sign shall be permitted under any circumstance within seven hundred fifty linear feet of The Citadel property line; nor within two hundred fifty feet of the civic center, a park, a school, or a property zoned for residential use (except as authorized within the Modelo Specific Plan).

19.25.150 – Reserved.

DIVISION 4. – OFF-SITE DIGITAL BILLBOARD SIGNS.

19.25.160 - Purpose and Intent.

The purpose of this section is to allow and regulate off-site digital billboard signs. Digital billboard signs are typically positioned on highly visible, heavy traffic locations such as freeways and major roadways. Nothing in this section is intended to amend any other provision of this chapter, which apply to identification signs and signs that relate to the business, goods, activities, or services being provided on the premises where the sign is located. Digital billboard signs, as referenced in this chapter may be new or replacement billboard signs.

19.25.170 – Agreement required.

The construction of a digital billboard, or replacement of an existing static billboard with the intent to install a new digital display(s) and convert to a digital billboard sign is allowed only upon city council approval of a development agreement as defined in this chapter, with appropriate standards and public benefits to be negotiated with the city, at its sole discretion, which shall also comply with all other standards imposed by this chapter. Digital billboards constructed on property owned by the city or its related agencies may also be accomplished by a lease or license agreement in lieu of a development agreement.

19.25.180 - General standards.

The provisions of this section are in addition to any standards imposed by a development agreement, lease or license agreement provided, however, that where any standard imposed by a development agreement, lease or license agreement differ from the general standards set forth in this section, the standards imposed by the development agreement, lease or license agreement shall apply over the general standards as a matter of public interest.

- A. Sign Face Dimensions.

1. The maximum total sign area for any new digital billboard sign shall be one thousand two hundred square feet per sign face, and each sign face shall not exceed twenty-five feet in height and sixty feet in length.
2. The maximum total sign area for a replacement static billboard to a digital billboard sign shall not exceed the existing static display sign area, except for freeway oriented billboard signs, which shall not exceed the sign area as provided herein for a new digital billboard sign. For purposes of this section, sign area shall mean and include any frame or material forming an integral part of the display but excluding support structures.
3. Bidirectional or double-faced signs shall be located on the same structure. For parallel double-faced signs, the distance between sign faces shall not exceed eight feet. For "V-shaped" double-faced signs, the distance between sign faces shall not exceed forty-five feet at their widest point and shall not exceed eight feet at their closest point.

B. Structure Design.

1. Each structure shall have no more than two poles, and shall be constructed of noncombustible material.
2. No digital billboard shall have more than one digital display surface oriented in the same vertical plane, for a maximum of two digital display surfaces back-to-back.

C. Height.

1. The overall height of a new digital billboard structure, which shall include the digital display and any frame or material forming an integral part of the display, shall not be limited to the maximum height limit of the zone in which the billboard is located. The overall height shall not exceed seventy-five feet measured from the higher of either:
 - a. The finished grade of the roadway adjacent to the lot on which the structure is located and from which the advertising display is to be viewed, or
 - b. The finished grade of the base of the sign.
2. The overall height of the new structure may exceed seventy-five feet due to obstructions and freeway elevation, with the approval of the director.

3. The overall height of a replacement digital billboard structure shall not exceed the height of the existing static billboard structure except in the case of a freeway-oriented billboard sign, which shall not exceed the height requirement of a new digital billboard structure.

D. Location. The location of a new digital billboard sign shall be restricted as follows:

1. New digital billboard signs shall be located only in an area immediately adjacent to the I-5 and I-710 freeways that is zoned for commercial or industrial uses. Replacement digital billboard signs shall be located only in a commercial or industrial zone.
2. Digital billboard signs shall not be located on public property, except for structures being considered as part of a city lease or license agreement. No portion of any sign or structure shall be located on, project into, beneath, or above the public right-of-way.
3. Digital billboard structures projecting over a private pedestrian walkway, driveway or driving aisle shall have a minimum clearance of thirty feet between the lowest point of the sign and the finished walkway or driveway finished grade.
4. Digital billboard signs shall comply with the California Department of Transportation requirements for placement and operation.
5. Maintenance, repair and other related operations of a digital billboard sign shall be conducted completely upon the billboard site and shall not use or encroach on any public right-of-way.
6. Digital billboard sign structures shall be placed at least two hundred fifty feet from any residential zone or residential use, unless a reduced separation distance is approved by the director based on the photometric study required under Section 19.25.190 (A)(9) that demonstrates there is no significant additional light intrusion onto a residential zone or residential use. The measurement shall be from the closest edge of the structure to the closest edge of the residential zone or closest property line on which a residential use is located.
7. New freeway oriented digital billboard signs shall not be located within one thousand feet of another digital billboard sign on the same side of the freeway. For purposes of this section, measurements shall be made from the closest edge of the sign panel.

- a. Development agreements or a lease or license agreement for a new digital billboard may provide for a reduced distance, but not less than one thousand five hundred feet in due consideration of other public benefits provided in the development agreement, or lease or license agreement, including, but not limited to, the concurrent takedown of existing static displays or digital displays within the city.
 8. When the replacement of a static billboard sign results in the construction of a new digital billboard sign, the new digital billboard sign shall not be located within a five hundred foot radius of any existing billboard sign (static or digital) on the same side of the public right-of-way. For purposes of this section, measurements shall be made from the closest edge of the sign panel.
 9. No digital billboard sign shall be permitted within any freeway landscaped area under the jurisdiction of the California Department of Transportation, unless a relocation agreement is entered into with Caltrans.
- E. Prohibited Signs. The following types of signs shall not be permitted on billboards:
1. Any form of moving, animated, oscillating or rotating sign, or any other design intended to attract attention through movement or the semblance of movement of the whole or any part of the sign or any other method or device that suggests movement.
 2. Inflatable signs (including generator driven/externally powered inflatables).
 3. Flashing signs, containing internally and/or externally illuminated light or other devices which are intermittently on and off, which change in intensity, or which create the illusion of flashing in any manner, except that a digital display may be allowed subject to appropriate standards.
- F. Appearance and Operations.
1. No digital billboard sign, including its supporting structure and lighting, shall present any hazard to the safety of pedestrian or vehicular traffic by obstructing the flow of such traffic, obstructing the sight lines required for the safe movement of pedestrian or vehicular traffic, interfering with the visibility and effectiveness of any traffic control or warning device, or in any other manner, as determined by the director or his designee.

2. No digital billboard sign face or sign area shall be added to an existing billboard unless within a permanent frame or panel indicated for such purpose on approved plans for the total sign structure.
3. Walls or screens at the base of a digital billboard sign or other support structures shall not create a hazard to public safety or become an attractive nuisance and shall be continually maintained in good condition and free from graffiti, weeds, or other blight conditions.
4. The images will change instantaneously, with no special effects or video.
5. No digital billboard sign message shall move or include animation, flashing lights, or the varying of light intensity, nor shall the digital advertising sign's illumination impair the vision of travelers on the adjacent roadways.
6. No digital billboard sign shall simulate or imitate any directional, warning, danger, or information sign, or any other display likely to be mistaken for any permitted sign intended or likely to be construed as giving warning or direction to traffic, for example using such words or phrases as "stop" or "slow down."
7. Each digital billboard sign shall have a light sensing device that will automatically adjust the brightness as ambient light conditions changes to not more than .3 footcandles at the following distances, as established in the 2000 Lewin Lighting Study, including any future amendments or updates thereto:

Sign Panel Size	Maximum Light Levels
20' x 60'	350'
14' x 48'	250'
12' x 25'	150'

8. Each digital billboard sign shall be designed with integrated systems and monitoring capabilities that ensure the display automatically shuts off or transitions to a full black screen in the event of a malfunction which effects more than ten percent of the screen, ensuring minimal disruption and safety.
9. No digital billboard sign shall display any obscene language or images, as the term is defined in Section 311 of the California Penal Code, including any amendments or successor statutes thereto.

10. Digital billboard signs shall plainly display and be visible from no less than one hundred feet, the name of the person or company owning or maintaining digital billboard and the digital billboard sign identification number.
11. Digital billboard sign structures shall be free of any visible bracing, angle iron, guy wires, cable, and/or similar supporting elements. All exposed portions of a digital billboard, including backs, sides, structural support members and support poles, shall be screened to the satisfaction of the director.
12. Each digital billboard sign shall be connected to the National Emergency Network (or any successor network thereto) and provide emergency information, including child abduction alerts (i.e., "Amber Alerts") or other missing persons or emergency alerts as may be issued by local, state, or federal authorities, in accordance with local and regional first responder protocols.
13. The developer of a digital billboard sign shall underground all utilities installed in connection with the digital billboard sign.
14. Digital billboard sign modifications and replacements shall only apply to legal conforming and legal non-conforming signs. Any illegal signs must be removed.
15. Digital billboard signs shall be operated and maintained in compliance with Business and Professions Code Section 5403.
16. The owner and/or operator of the digital billboard sign shall, at all times, comply with the approvals of the California Department of Transportation Outdoor Advertising Division as applicable.
17. The owner and/or operator of the digital billboard sign shall comply with all applicable federal, state, or local laws when constructing, operating, improving, maintaining, repairing, and removing the digital billboard sign, including the Highway Beautification Act of 1965 (23 U.S.C. Section 131), the Outdoor Advertising Act (Business and Professions Code, Section 5200 et seq.), and the regulations promulgated to implement the Outdoor Advertising Act (4 Cal. Code Regulations. Section 2242(c) et seq.).
18. The requirements set forth in this subsection, shall be in addition to any other conditions and requirements contained in a development agreement or lease or license agreement. If any condition or requirement imposed in a development agreement or lease or license agreement conflict with the general requirements set forth in the sections above, the general requirements of the development

agreement or lease or license agreement shall control. For purposes of this subsection, conditions or requirements contained in the development agreement, or lease or license agreement that are more restrictive than those contained in the general requirements in this section shall not be deemed in conflict and shall control.

- G. Landscaping. Where appropriate, as determined by the director, the site upon which a digital billboard sign is located shall be landscaped to achieve a consistent theme to visually integrate the digital billboard with the surrounding environment, in accordance with the following guidelines:
1. The landscaping goal is to ensure that the property on which the structure is located is fully landscaped along the freeway frontage. For larger parcels containing more than one billboard sign, landscaping should be provided along a portion of the freeway frontage that is proportionate to the number of signs on the property. The intent of the landscaping is not to obstruct views of the billboard sign structures within their viewshed, defined as a distance of one-quarter mile from the sign face, but to enhance the visual character of the site and its surroundings.
 2. The plant materials used for landscaping shall be drought-resistant and irrigated with an automatic drip irrigation system. Irrigation systems may be installed on the surface if a licensed landscape architect establishes a maintenance plan that may allow the irrigation to be discontinued if the plant materials reach a level of maturity and condition that would permit it without damage to the plant material.
 3. Landscape plans shall be accompanied by a photographic view study of the structure; both within its view shed and from a more distant approach to the view shed of the structure. This study shall demonstrate the effectiveness of the proposed landscape plan and its compliance with the preceding provisions.

19.25.190 - Application filing requirements and review procedures.

- A. Application requirements. Any person wishing to erect a new digital billboard sign or replace an existing static billboard sign with a digital display shall submit a request in writing for approval of a development agreement, or a lease or license agreement if proposed on city owned property, pursuant to Division 2 of Chapter 19.39 of this Title 19 that includes the following:

1. The name, address, phone number, and other contact information of the person proposing the agreement.
2. The location of the proposed digital billboard sign or replacement billboard sign, and static sign(s) to be removed or takedowns, if applicable.
3. Information that establishes that the person proposing the development agreement, lease or license agreement has legal or equitable interest in the proposed new or replaced digital billboard sign, and proof of legal or equitable interest in the proposed site including, but not limited to, a fee interest, lease, license, easement, or other entitlement demonstrating the right to install and operate the digital billboard sign on the subject property. Information to be provided shall include the written consent of the property owner if not readily ascertainable from the foregoing documents.
4. A narrative describing the proposed compensation or public benefits to be provided to the City.
5. Conceptual design drawings of the digital billboard sign that includes technical specifications to determine the digital billboard sign's compliance with this chapter.
6. Photos of all existing signage, and architectural renderings and elevations of the proposed digital billboard sign.
7. A scaled site plan and elevations, and a vicinity map showing the locations of all existing structures and improvements on the property, and the proposed billboard sign and related structures and improvements.
8. Photo simulations, as determined by the director, of the before and after physical site appearance from views.
9. A photometric study prepared by a certified lighting engineer demonstrating the proposed digital billboard sign's compliance with the operational requirements provided herein. Once installed, the operator shall obtain a written certification from the sign installer or manufacturer stating that the lighting requirements and light sensing device as required in Section 19.25.180(F)(7) above is installed, operational and meets the standards. At any time following the installation of the structure, the operator shall, upon request by the city, provide documentation demonstrating compliance with the lighting standards.

10. Landscaping plans showing proposed irrigation system and the location, type and size of landscape plants identifying the location, quantity and type of plant material proposed for the site, and as required in Section 19.25.180 (G) above.
11. Such other documents, materials, or information deemed reasonably necessary by the director.

B. Fees.

1. The applicant shall pay a filing fee as set by resolution of the city council. This fee shall be in addition to any other required fees for permits relative to the development of the property and shall be for the purpose of defraying the costs associated with city's review of the application.
2. The applicant shall pay the cost of any environmental studies and reports necessary for the completion of the environmental review of the proposal pursuant to the California Environmental Quality Act.

C. Review Procedures.

1. A development agreement, or lease or license agreement in the case of city owned property, shall be reviewed by the planning commission at a duly noticed public hearing, pursuant to the procedures set forth in Division 3 of Chapter 19.39 of this Title 19. The planning commission shall review such agreement and make a recommendation to the city council whether the proposed digital billboard sign meets the required findings set forth in subsection 3 below.
2. The city council shall conduct a duly noticed public hearing following the planning commission recommendation to consider approval of the agreement. The hearing before the city council shall be noticed in accordance with Division 3 of Chapter 19.39 of this Title 19 and may be continued from time to time. In order to approve an agreement, the city council shall make all of the findings as set forth in subsection (3) below.
 - a. Development agreements shall be approved by ordinance.
 - b. Lease and license agreements shall be approved by resolution.
3. Findings for approval of a development agreement or lease or license agreement (agreement). The city council shall approve the agreement if it finds the following:

- a. The proposed agreement is consistent with the goals, objectives, purposes and provisions of the General Plan, the Municipal Code, and any applicable specific plans.
- b. The proposed use is compatible with the uses and structures on the site and in the surrounding area.
- c. The proposed digital billboard sign would not create a traffic or safety problem, including problems associated with on-site access circulation or visibility.
- d. The proposed digital billboard sign would not interfere with on-site parking or landscaping required by city ordinance or permit.
- e. The proposed digital billboard sign would not otherwise result in a threat to the general health, safety, and welfare of city residents.
- f. The proposed digital billboard sign, in addition to its aesthetic treatment, provides substantial public benefits that would not otherwise accrue to the public in the absence of its installation with said benefits determined solely by the city council.

DIVISION 4. – NONCONFORMING SIGNS

19.25.200 - Intent.

It is the intent of this Division 4 to recognize that the eventual elimination of existing on-site signs and off-site signs that do not conform to the provisions of this Chapter 19.25 is as important to the citywide aesthetic and health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this chapter. It is also recognized that nonconforming signs should be eliminated in a manner that avoids an unreasonable invasion of established property rights.

19.25.210 - Nonconforming signs—General.

Nonconforming signs shall not be altered, moved, or reconstructed in any way unless done so in a manner to comply with all the applicable standards of this Title 19, except for nonconforming off-site signs, which shall be subject to Section 19.25.260.

19.25.220 - Continuation and maintenance.

- A. A sign, lawfully occupying a site, that does not conform with the sign regulations for the zone in which the sign is located shall be deemed to be a nonconforming sign and may not be altered, moved, expanded or enlarged, structurally altered to extend the useful life of the sign, or reconstructed unless made to comply with the standards of this Chapter 19.25.
- B. Any nonconforming sign may be continued in operation and maintained after the effective date of the ordinance codified in this Title 19.

19.25.230 - Permitted change in copy.

The copy on a nonconforming sign may be changed prior to the scheduled date of elimination by issuance of a permit. Such change may not create a new nonconforming sign or increase the discrepancy between the existing nonconformity and the regulations.

19.25.240 - Amortization schedule.

All nonconforming on-site signs shall be discontinued, removed from their sites, altered to conform to the requirements of this Chapter 19.25, or altered as prescribed to decrease the degree of nonconformity within the time schedules specified in Table 19.25.240A.

Table 19.25.240A

Nonconforming On-site Sign Elimination Schedule

Description of Nonconforming On-site Sign	Elimination Schedule
1. Lighting or movement nonconformity, any zone	Within 6 months of the date that the sign becomes nonconforming
2. Painted on wall, any zone	Within 1 year of the date that the sign becomes nonconforming

3. Any other nonconforming on-site sign located in a residential zone	Within 1 year of the date that the sign becomes nonconforming
4. All other nonconforming on-site signs	Within 3 years of the date that the sign becomes nonconforming

19.25.250 - Abatement of illegal signs within public rights-of-way.

- A. If it is determined that a sign is illegally placed on public property, public right-of-way, or public easements, the city shall notify the owner to remove the sign within forty-eight hours or be billed for the costs of removal. If immediate action is necessitated for public safety considerations, the city shall remove the sign, and the sign owner shall be billed for the costs of removal.
- B. The owner of a sign which has been removed by the city may request a hearing to determine whether the sign was in fact illegally located on public property. The request for a hearing shall be made within forty-eight hours from the date of removal.
- C. If the owner of a sign fails to make a request for a hearing and no demand is made for the return of the sign within ten days of the date of removal, then the city is authorized to destroy or dispose of the sign.

19.25.260 - Nonconforming off-site signs.

- A. Any existing off-site sign constructed in conformance with all regulations and permit requirements at the time of its erection, and that is maintained in accordance with all applicable building standards, shall constitute a legal nonconforming off-site sign.
- B. Any legal nonconforming off-site static billboard sign shall not be altered, moved, or reconstructed in any way unless replaced or converted to a digital billboard sign, subject to the provisions in Division 4 or this chapter.
- C. The repair of legal nonconforming a off-site static billboard sign is permitted in commercial or industrial zones, subject to obtaining appropriate demolition, building, and other required ministerial permits, and complying with all other standards imposed by this chapter.
- D. Any legally nonconforming off-site static billboard sign may be considered as a candidate for relocation or replacement as a digital billboard sign

upon agreement between the sign owner and the city, subject to the provisions in Division 4 of this chapter.

Section 5. The City Clerk shall certify the passage and adoption of this Ordinance and it shall go into effect thirty (30) days following its adoption.

[Signatures on the following page]

PASSED, APPROVED AND ADOPTED this ____th day of _____ 2025.

Ivan Altamirano, Mayor

ATTEST:

Lena Shumway
City Clerk