

ORDINANCE NUMBER 1300

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE TEXT AMENDMENT 13-11-0005 TO REVISE THE OUTDOOR ADVERTISING SIGN AND DEFINITION SECTIONS OF THE ZONING CODE REGARDING DEIGITAL BILLBOARD SIGNS; AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, on November 6, 2013, Nat Preston on behalf of Lamar Advertising Company, filed Zone Text Amendment 13-11-0005 to revise the Outdoor Advertising Sign and Definition sections of the Zoning Code regarding digital billboard signs; and

WHEREAS, the properties proposed for the Zone Text Amendment is city-wide, except for areas within the Airport Influence Areas; and

WHEREAS, the proposed Zone Text Amendment 11-08-0013 will not conflict with the goals, policies, and implementation measures set forth in the General Plan and Zoning Ordinance in that the proposed Billboard Relocation Agreement Section will require a Billboard Relocation Agreement approved by City Council to allow deviation from the signage code, which constitutes a present exercise of the City's police power. The proposed Zone Text Amendment is consistent with the City's General Plan in that it achieves a number of City objectives, including revitalizing and reutilizing the existing billboard sites and reducing the total number of billboards in the City (i.e. permanent removal of 24 existing billboards) to reduce visual clutter created by the proliferation of billboards in the community and improve the appearance of the City. Therefore, the proposed project will be consistent with the General Plan and the underlying zoning designation subject to the approval of the Zone Text Amendment; and

WHEREAS, the proposed Zone Text Amendment with a Billboard Relocation Agreement Section is consistent with the California Business and Professions Code Section 5412, which encourages cities to enter into relocation agreements, and to adopt ordinances or resolutions providing for relocation of billboards. Thus, the proposed code changes meet the intent of this Section of state law to: (1) reduce visual clutter (2) eliminate non-conforming signage (3) facilitate the relocation and redistribution of existing outdoor advertising displays to more appropriate locations within the City to better serve the advertising needs of the local business community (4) allow for incorporation of modern technology into relocated outdoor advertising displays in the form of Digital Outdoor Advertising Displays and (5) to eliminate the need for the City to pay compensation for removal of existing outdoor advertising displays to accommodate a public project.

WHEREAS, the proposed project is determined to be Categorical Exempt pursuant to Article 19 Section 15306 of CEQA for research activities to regulate digital billboard signs leading to an agency action.

WHEREAS, on December 18, 2013, the Planning Commission conducted a legally noticed public hearing on Zone Text Amendment 13-11-0005 and considered public testimony and materials in the staff reports and accompanying document and exhibits, and recommended approval (4-0-3 Absent) of the project.

WHEREAS, on January 14, 2014, the City Council conducted a duly noticed public hearing introducing the first reading of an Ordinance (next in order) to revise Section 19.75 (Sign Regulations) and Section 19.08 (Definitions) of the Zoning Code regarding digital billboard signs based on the information and findings presented herein; and,

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, as follows:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has reviewed and considered the information contained within the Project Report and the accompanying attachments and exhibits, and the City Council hereby finds that:

Zone Text Amendment:

- A. The proposed Zone Text Amendment will not result in significant adverse effects on the environment in that it will facilitate the permanent removal of twenty-four (24) existing billboard signs to reduce visual clutter in the City in exchange for three (3) new billboard signs with improved design parameters.
- B. The proposed Zone Text Amendment will not conflict with the goals and policies set forth in the General Plan and Zoning Ordinance in that it achieves a number of City objectives, including revitalizing and reutilizing the existing billboard sites and reducing the total number of billboard signs in the City to reduce visual clutter created by the proliferation of billboards in the community, and to improve the appearance of the City.
- C. The proposed Zone Text Amendment will not have a negative effect on public health, safety, or the general welfare of the community in that it only involves the removal of twenty-four (24) existing billboards with three new billboard signs that will improve the appearance of the City.

Section 3. The City Council hereby approves Zone Text Amendment 13-11-0005 to revise Section 19.75 (Sign Regulations) and Section 19.08 (Definitions) of the Zoning Code regarding digital billboard signs based on the information and findings presented in the City Council Submittal Report dated January 14, 2014 and accompanying documents and exhibits; and

Section 4. The City Council declares that should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

Section 5. The Mayor shall sign this Ordinance and the City Clerk shall certify to the passage and adoption of this Ordinance.

ADOPTED, SIGNED and APPROVED this 28th day of January 2014.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, **Nancy Salazar**, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1300 was duly and regularly introduced by the City Council of the City of Perris at a regular meeting held the 14th day of January 2014 and duly and regularly adopted at a regular meeting held the 28th day of January 2014 by the following called vote:

AYES: RODRIGUEZ, ROGERS, YARBROUGH, LANDERS, BUSCH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

City Clerk, Nancy Salazar