

# Exhibit A

## EXHIBIT A – PROPOSED TITLE 19 TEXT AMENDMENTS

**Section 1.** Title 19 shall be repealed and replaced as follows:

Title 19 – Billboard Signs

Chapter 19.01. PURPOSE AND APPLICABILITY

### **19.01.010. Purpose.**

These regulations and standards for billboard signs are established to provide a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory billboard sign standards and requirements to:

- A. Preserve the natural beauty of areas adjacent to highways;
- B. Make a positive visual impression at the gateways to the City;
- C. Protect the general public health, safety, welfare, and aesthetics of the City;
- D. Ensure the proper maintenance of signs;
- E. Ensure freedom of expression for sign uses, including noncommercial speech, by maintaining a content-neutral approach and appropriately regulating the time, place, and manner under which signs may be displayed;
- F. Preserve and improve the appearance of the City, protect the City from visual clutter and blight, and promote attractive and harmonious structures and environments by regulating the design, character, location, type, quality of materials, scale, illumination, and maintenance of signs; and
- G. Balance the rights of individuals to convey their messages and the right of the public to be protected against the unrestricted proliferation of signs and to provide for fair and equal treatment of sign users.

### **19.01.020. Applicability.**

The regulations of this Title apply to all billboards. Other signs are addressed in Chapter 21.52 (Signs) and Chapter 11.30 (Street Furniture).

### **19.01.030. Severability.**

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this Title is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions of this Title.

### **19.01.040. Definitions.**

The following definitions shall apply to terms used within this Title:

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- A. Billboard. An off-premises sign designed for the periodic changing of a printed or painted copy and intended for the view of travelers on a State or US highway.
- B. Conforming Billboard Sign. A billboard sign that is legally installed in accordance with Federal, State, and local permit requirements and laws.
- C. Copy. The message or content of a sign, which may include letters, numbers, logos, figures, and/or images.
- D. Nonconforming Billboard Sign. A billboard sign that was legally established prior to the effective date of this Title and that does not conform to the provisions of this Title.
- E. Off-Premises Sign. A sign that promotes a business, activity, product, or service available on property other than that on which the sign is located, or which directs the public to a business or activity on another property.
- F. Sign Area. The cumulative area of all sign faces on a single side of a billboard.

## Chapter 19.02. REVIEW PROCESS

### **19.02.010. Conditional Use Permit.**

A Conditional Use Permit pursuant to Chapter 21.19 shall be obtained for the placement of any billboard sign, subject to the restrictions of this Title.

### **19.02.020. Other Agency Permits.**

An application for a Conditional Use Permit shall be accompanied by a California Outdoor Advertising Act Permit issued by the California Department of Transportation (Caltrans).

## Chapter 19.03 ALLOWED LOCATIONS

### **19.03.010. Adjacent to Highway.**

A billboard sign shall only be permitted on a property adjacent to US Highway 101 or State Highway 46. For the purposes of this Title, "adjacent to" includes properties separated by a frontage road but does not include lesser street corridors.

### **19.03.020. Zoning Districts.**

A billboard sign shall only be permitted within the C-2, C-3, and M zoning districts.

### **19.03.030. Minimum Spacing.**

In the interest of driver and vehicle safety and the City's interests in aesthetics, the most restrictive requirement of the following two requirements shall apply:

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- A. No billboard sign shall be located within 3,500 feet from any other billboard sign on the same side of the highway, or
- B. No more than 3 billboard signs shall be allowed within any 1-mile stretch of the highway.

## **19.03.040 Public Property.**

Nothing in this Title shall be construed to prohibit the City of Paso Robles from approving a billboard sign or other off-premises sign designed to provide public information when the City owns the property on which the billboard sign shall be placed. No other person, other than the City of Paso Robles, shall be allowed to use any billboard sign on public property for any purpose.

## Chapter 19.04 DEVELOPMENT STANDARDS FOR BILLBOARDS

### **19.04.010 Size.**

No billboard sign shall be larger than 300 square feet in sign area per face, not to exceed two faces and 600 square feet total. Sign area shall be measured in accordance with Paragraph 21.52.070.B.

### **19.04.020 Height.**

No billboard shall exceed 30 feet in height, as measured in accordance with Paragraph 21.52.070.B. However, if the top of a billboard is higher than the majority of buildings located on the same and/or adjacent lots, the billboard shall be separated from such buildings by 1 foot for every linear foot of the sign height. If this requirement is not satisfied, the billboard shall be prohibited.

### **19.04.030 Construction Quality.**

All new billboard signs shall be made of metal construction or otherwise have similar structural integrity, as determined by the City's Building Official.

### **19.04.040 Landscaping.**

Landscaping shall be required at the base of the billboard as a means of bringing the sign into a less obtrusive scale to its surroundings.

### **19.04.050 Electronic Copy.**

Electronic display panels or mechanically changeable messages of any type is strictly prohibited on all billboard signs. Only static printed or painted message graphics may be placed on billboard signs.

### **19.04.060 Lighting Methods.**

Any lighting shall be external, directed downward, and shielded so the light source is not visible off site and does not create off-site glare, or conflict with City "dark sky" protection policies.

### **19.04.070 Distance from Highway.**

Any billboard shall be set back from the highway rights-of-way at minimum of 1 foot for every vertical foot of sign height.

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## Chapter 19.05 NONCONFORMING BILLBOARDS

### **19.05.010 Right to Continue.**

Billboards that were not lawfully established do not have a legal right to continue as nonconforming signs unless required by State or Federal law.

### **19.05.020 Loss of Legal Nonconforming Status.**

- A. The right to continue a nonconforming billboard shall terminate when it is determined to be a public nuisance pursuant to the provisions of Chapter 9.06 (Nuisance Abatement) or order of a court of competent jurisdiction and the nuisance is not abated in the manner and within the time stated in the order of the City Council or the order of the court. In addition to the specific grounds for finding a nuisance as set forth in Section 9.06.030 (Nuisances), a nonconforming use is a public nuisance if:
  - 1. The use interferes with the enjoyment of life or property in the neighborhood; or
  - 2. The use is injurious to the health of persons in the neighborhood.
- B. The right to continue the use of a nonconforming structure shall terminate when the structure and/or the parcel on which it is located is determined to be a public nuisance pursuant to the provisions of Title 9 (Public Safety), Chapter 9.06 (Nuisance Abatement), or by judgment or order of a court of competent jurisdiction and the nuisance is not abated in the manner and within the time stated by the City Council or order of the court. If the abatement of the nuisance requires demolition of the structure, the City Council order or judgment or order of the court shall find that in fairness and in justice there is no other way reasonably to correct the nuisances other than by demolition of the structure.
- C. Where it cannot be found that demolition of a structure is appropriate, the City Council may permit the structure to remain in existence but may impose one or more conditions to bring the structure into conformity with the requirements of this Title so far as is reasonable, in addition to any other conditions necessary to abate the public nuisance.

### **19.05.030 Continuation of Legal Nonconforming Billboards.**

Legally nonconforming billboards and other billboards that have the right to continue by State or Federal law may continue to be used and maintained subject to the following limitations:

- A. Sign copy may be changed.
- B. No intensification of the billboard is permitted including, but not limited to:
  - 1. The billboard shall not be increased in sign area, height, or any other dimension.
  - 2. No new lighting, brighter lighting, or less shielded lighting shall be added to the billboard.
- C. If the billboard is damaged by fire, earthquake, explosion, or other force majeure to an extent of more than 50 percent of the supporting structure as determined by the Building

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Official, the billboard shall only be rebuilt to conform to the present billboard development standards (Chapter 19.04) subject to the billboard review process (Chapter 19.02). In addition to the required findings for approval of a Conditional Use Permit, findings shall also be made that restoring the billboard would not have a significant adverse effect on public safety or the existing or planned visual character of the neighborhood, and/or if other factors indicate that the goals and policies of the General Plan would be advanced by such restoration.