

## ORDINANCE NO. 1122

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO, CALIFORNIA, AMENDING CAMARILLO MUNICIPAL CODE CHAPTER 17.04 (SIGN REGULATIONS) REGARDING TEMPORARY NONCOMMERCIAL SIGN OPPORTUNITIES DURING ELECTION PERIODS, AND CHAPTER 19.16 (RESIDENTIAL PLANNED DEVELOPMENT ZONE) REGARDING SUBDIVISION SIGNS

The City Council of the City of Camarillo ordains as follows:

**SECTION 1. Findings.** The City Council of the City of Camarillo finds as follows:

A. Chapter 17.04 (Signs Regulations (Private Property)) of the Camarillo Municipal Code regulates the placement of signs on private property within the City.

B. The City has for many years provided opportunities for temporary noncommercial signs on private property, including residential properties, in the form of freestanding signs (i.e., yard signs) as well as window signs consistent with the United States Supreme Court's decision in City of LaDue v. Gilleo (1994) 114 S.Ct. 2038.

C. In the recent case of Reed v. Town of Gilbert (2015) 135 S.Ct. 2218, the United States Supreme Court held that absent a compelling reason, a city may not provide preferential treatment in providing opportunities for posting noncommercial messages on signs based on the sign's content.

D. The proposed amendments to Chapter 17.04, with respect to temporary noncommercial signs, are intended to further the City's longstanding policy of regulating such signs in a constitutional, content-neutral manner.

E. As such, it is the City's intent to regulate temporary noncommercial signs based on their size, height, number, location and duration, and to allow more opportunities for noncommercial signs during election periods in order to encourage public debate.

F. These regulations further the City's interest in both aesthetics and traffic safety by establishing appropriate limitations on the size, height, number, location and duration of such noncommercial signs, so that they are appropriate and in keeping with the zoning district in which the signs are placed and to ensure that the signs do not overly distract, obstruct, or otherwise impede traffic circulation.

G. Signs which exceed the permitted numbers, dimensions, and design standards, or conflict with the location restrictions specified in Chapter 17.04, adversely affect the public welfare and safety, including traffic safety.

H. The City also desires to relocate its regulations regarding signage for residential subdivisions to the City's Zoning Code, specifically, Chapter 19.16 (Residential Planned Development Zone), since those regulations govern the approval and development of the subdivisions where such signage would be located.

I. The City further desires to amend the existing subdivision sign regulations by eliminating off-site directional signs and permitting fewer and smaller subdivision sale signs since advances in technology such as the Internet and electronic mapping programs enable prospective purchasers of new homes to readily identify the location of new subdivisions.

J. The City's Planning Commission reviewed the proposed amendments at a duly-noticed public hearing on February 16, 2016. After all interested parties were given full opportunity to be heard and to present evidence, the Planning Commission voted to recommend to the City Council that they adopt the proposed ordinance.

K. On March 9, 2016, the City Council conducted a duly-noticed public hearing to consider this ordinance, and all interested parties were given full opportunity to be heard and to present evidence.

L. After reviewing the evidence presented, the City Council finds that this ordinance is consistent with the City's General Plan.

**SECTION 2. Environmental Review.** The City Council exercises its independent judgment and finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the subject regulations have no potential for resulting in any significant physical change to the environment, directly or indirectly.

**SECTION 3. Amendments to CMC Chapter 17.04.** The following amendments are made to Camarillo Municipal Code Chapter 17.04 (Sign Regulations):

A. The following definitions in CMC Section 17.04.020 (Definitions) are repealed:

~~Campaign sign: "Campaign sign" means a sign that is designed to influence the passage or defeat of any measure on a ballot or to influence voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state, or local election.~~

~~Subdivision directional sign: "Subdivision directional sign" means a sign utilized for the purpose of indicating the flow of traffic or travel to reach a specific subdivision, and the copy of which is limited to identifying the subdivision together with specific directions to enable the traveler to locate the location of the subdivision.~~

~~Subdivision identification sign: "Subdivision identification sign" means an on-site sign that identifies a subdivision, but contains no other advertising copy.~~

~~Subdivision sale sign: "Subdivision sale sign" means a temporary sign that contains the name of, and information relating to, a subdivision being offered for sale or lease for the first time, but contains no other advertising copy.~~

B. The following definition is added to CMC Section 17.04.020 (Definitions):

""Election period" means the period commencing 90 days before any national, state, or local election in which city electors may vote up through the date of the election."

C. Subsection (A) [Campaign Signs] of CMC Section 17.04.090 is deleted and the remaining sections are re-lettered in subsequent order.

~~A. Campaign Signs.~~

~~1. Number. Each parcel may have one temporary freestanding campaign sign for each political candidate or issue on each street frontage.~~

~~2. Area. In agricultural, commercial, and industrial zones, no campaign sign may exceed thirty-two square feet in area per face. A campaign sign may be double-faced, if it is placed perpendicular to the right-of-way. In residential areas, no campaign sign may exceed six square feet in total area per face and may be double-faced.~~

~~3. Height. No freestanding campaign sign may exceed four feet in height.~~

~~4. Location. Campaign signs may be placed in the front, side or rear yard of any parcel that fronts, sides or rears on a public street. No campaign sign may encroach into the public right-of-way.~~

~~5. Time Limit. All campaign signs must be removed within seven days following the election for which they are intended. If not timely removed, the sign will be deemed to be abandoned and may be removed by the city without notice.~~

~~6. Lighting. Campaign signs may not be illuminated.~~

D. Subsection (K) [Temporary Freestanding Noncommercial Signs] of CMC Section 17.04.090 (Signs Permitted In All Zones), is amended and restated as follows:

"K. Temporary Freestanding Noncommercial Signs.

1. General Regulations.

(a) Number. In residential zones only, each parcel is permitted two temporary freestanding noncommercial signs at all times. Such signs are in addition to all other signage allowed in this chapter.

(b) Area. A temporary freestanding noncommercial sign may not exceed six square feet in area.

(c) Height. A temporary freestanding noncommercial sign may not exceed four feet in height.

(d) Location. Temporary freestanding noncommercial signs may be placed in the front yard or side yard of any property; provided, that the signs do not encroach into any public right-of-way.

(e) Lighting. Temporary freestanding noncommercial signs may not be illuminated.

2. Election Period Regulations. During any election period, the following additional opportunities for temporary noncommercial signs are permitted subject to the following regulations:

(a) Number. Each parcel in all zones is permitted eight temporary freestanding noncommercial signs. Such signs are in addition to all other signage allowed in this chapter.

(b) Area. In agricultural, commercial, and industrial zones, no temporary freestanding noncommercial sign may exceed 32 square feet in area per face. The sign may be double-faced, if it is placed perpendicular to the right-of-way. In residential areas, no temporary freestanding noncommercial sign may exceed six square feet in total area per face and may be double-faced.

(c) Height. In residential zones, a temporary freestanding noncommercial sign may not exceed four feet in height. In agricultural, commercial, and industrial zones, the bottom of the sign may not exceed four feet in height, and the top of the sign may not exceed 10 feet in height.

(d) Location. Temporary freestanding noncommercial signs may be placed in the front yard or side yard of any property; provided, that the signs do not encroach into any public right-of-way.

(e) Lighting. Temporary freestanding noncommercial signs may not be illuminated."

E. Subsections 17.04.090(G) [Subdivision Directional Signs], 17.04.090(H) Subdivision Sale Signs], and 17.04.090(I) [Subdivision Identification Sign] are repealed.

**SECTION 4.** Amendment to CMC Section 19.16.160. Section 19.16.160 (Signs) of Title 19.16 (Residential Planned Development Zone) of the Camarillo Municipal Code is amended and restated as follows:

**"19.16.160 - Signs.**

A. Subdivision Sale Sign.

1. Number. Each subdivision is permitted one subdivision sale sign.
2. Area. A subdivision sale sign may not exceed 32 square feet in area per face.
3. Height. A subdivision sale sign may not exceed 12 feet in height.
4. Lighting. A Subdivision sale sign may not be illuminated.

5. Time Limits. A subdivision sale sign must be removed after it has been erected for two years or when all of the subdivision residential lots have been sold, whichever occurs first. This time limit may be extended by the Director.

6. Location. The subdivision sale sign must be immediately adjacent to the residential lots offered for sale. The precise location of the sign must be approved by the Director.

B. Subdivision Identification Sign.

1. Number. A subdivision identification sign is permitted at any direct entrance (not to exceed two) from a limited access road that borders the development. The sign may be either a monument sign or a wall sign.

2. Area. Subdivision identification signs may not exceed 25 square feet in area per face.

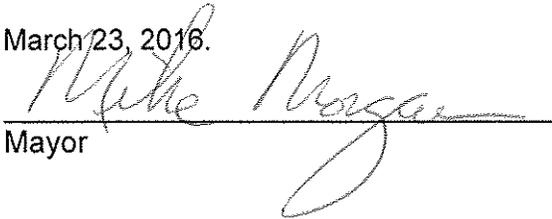
3. Height. If a monument sign is used, the height may not exceed eight feet.

4. Lighting. Subdivision identification signs may not be illuminated, unless the maintenance is assumed by a property owners' association as part of the recorded conditions, covenant and restrictions for the project."

**SECTION 5. Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 6. Publication.** The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED on March 23, 2016.

  
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Mayor

Attested to on 3/28/16  
Jamadland  
\_\_\_\_\_  
City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Ordinance No. 1122 was introduced by the City Council at a meeting held March 9, 2016, and subsequently passed and adopted by the City Council at a regular meeting held March 23, 2016 by the following vote:

AYES: Councilmembers: Craven, Kildee, Little, McDonald, Mayor Morgan  
NOES: Councilmembers: None  
ABSENT: Councilmembers: None

Jamadland  
\_\_\_\_\_  
City Clerk

