

Chapter 19.623 BILLBOARD SIGNS

19.623.010 Basic policies.

The policies and principles stated in this chapter apply to all billboards within the regulatory scope of this chapter. These policies are to prevail over any other provision to the contrary, even if more specific.

(Ord. 7331 §97, 2016; Ord. 6966 §1, 2007)

19.623.020 Billboards.

The City completely prohibits the construction, erection or use of any billboards, other than those which legally exist in the City, or for which a valid permit has been issued and has not expired, as of the date on which this provision is first adopted. No permit shall be issued for any billboard which violates this policy, and the City will take immediate abatement action against any billboard constructed or maintained in violation of this policy. In adopting this provision, the City Council affirmatively declares that it would have adopted this billboard policy even if it were the only provision in this chapter.

The City Council intends for this billboard policy to be severable and separately enforceable even if other provision(s) of this chapter may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid or unenforceable. This provision does not prohibit agreements to relocate presently existing, legal billboards.

(Ord. 7331 §97, 2016; Ord. 6966 §1, 2007)

19.623.025 Relocation of existing billboards; billboard relocation agreements.

Notwithstanding any other provision of this chapter, and consistent with the California Business & Professions Code Outdoor Advertising provisions, relocated outdoor advertising signs (billboards) as defined by Chapter 19.910 (Definitions), may be considered and constructed as part of a billboard relocation agreement subject to the following.

- A. Intent and Purpose.
 - a. The purpose of an outdoor advertising sign (billboard) relocation agreement is to reduce the number of billboards in the City by removing existing general advertising signs in exchange for allowing relocation of billboards to more suitable locations, and to provide more attractive, aesthetically pleasing billboard designs and/or electronic message displays.
 - b. The execution of a billboard relocation agreement shall not operate to change the status of any billboard as a nonconforming use for purposes of this code.
- B. Eligibility.
 - a. Only billboards that are lawfully established as of the date of adoption of this article are eligible to be relocated pursuant to a billboard relocation agreement.
 - b. Applicant-initiated billboard relocation requests may be initiated by a billboard operator and/or property owner subject to approval by the City Council pursuant to Chapter 19.650 (Approving and Appeal Authority). The City Council reserves the right to deny, approve and negotiate the approval of any applicant-initiated billboard relocation request.

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- c. The City may initiate a billboard relocation request consistent with state law and as part of a billboard relocation agreement between a billboard operator and/or property owner and the City.
 - C. Negotiation of Terms.
 - a. The City Council in its sole and absolute discretion shall negotiate upon terms of the billboard relocation agreement that are acceptable including, but not limited to, revenue sharing, community benefits, takedown/removal ratios, billboard sign type, sign dimensions, and location. The City Council shall serve as the final approving authority for any billboard relocation agreement.
 - D. Development, Operational and Site Location Standards.
 - a. In addition to compliance with requirements negotiated pursuant to an executed billboard relocation agreement, any relocated billboard sign shall comply with the site location, operation and development standards of applicable state law.

19.623.030 Relocation of existing billboards (On Parcel Annexed into the City of Riverside).

The Community & Economic Development Director or his/her designee shall have the authority to administratively approve the issuance of a permit for the relocation of an existing billboard, subject to design review, which meets all of the following requirements:

1. The billboard was legally permitted by the County of Riverside or otherwise had legal non-conforming status with the County;
2. The parcel on which the billboard is located was subsequently annexed to the City of Riverside;
3. The City has required the relocation of the existing billboard;
4. The sign will be relocated on the same parcel or property it was originally located;
5. The size of the new or relocated billboard will not exceed the size, area, height, length, width, shape and number of sides or faces of the existing billboard;
6. The new or relocated billboard will constitute an improvement in the aesthetic appearance of the original billboard structure;
7. All proposed lighting for the new or relocated billboard shall be the same or similar to the lighting of the original billboard and, in any case, the new sign will not utilize display technology which creates a moving or changing image, of the illusion thereof; and
8. All costs associated with the relocation and installation of the new or relocated billboard will be borne solely by the billboard owner or applicant. If a new structure is to be built, it must comply with all applicable Building Code and safety requirements.

(Ord. 7331 §97, 2016; Ord. 6987 §1, 2008)

19.623.040 Billboard relocation permit.

The Community & Economic Development Director or his/her designee shall have the authority to administratively approve the issuance of a billboard relocation permit for the relocation of an existing billboard, subject to design review and approval of a billboard relocation agreement, which meets all of the following requirements:

1. The billboard was legally permitted by the County of Riverside or otherwise has legal non-conforming status with the City;
2. The City has executed a billboard relocation agreement with a billboard operator/or property owner;

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3. The new or relocated billboard will constitute an improvement in the aesthetic appearance of the original billboard structure; and
 4. All costs associated with the relocation and installation of the new or relocated billboard will be borne solely by the billboard owner or applicant. If a new structure is to be built, it must comply with all applicable Building Code and safety requirements.

19.623.050 Severance.

If any section, sentence, clause, phrase, word, portion or provision of this chapter is held invalid or, unconstitutional, or unenforceable, by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this chapter which can be given effect without the invalid portion. In adopting this chapter, the City Council affirmatively declares that it would have approved and adopted the Chapter even without any portion which may be held invalid or unenforceable.

(Ord. 7331 §97, 2016; Ord. 6987 §2, 2008; Ord. 6966 §1, 2007)