

ORDINANCE NO. 3392

AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, AMENDING SECTION 17.74.070 (PROHIBITED SIGNS) OF CHAPTER 17.74 (SIGNS) OF TITLE 17 (ZONING) AND SECTION 5.44.100 OF THE CORONA MUNICIPAL CODE TO PROHIBIT TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY (ZTA2024-0002)

WHEREAS, Article XI, § 7 of the California Constitution authorizes cities to make and enforce within their jurisdictional limits ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, Chapter 17.74 of the Corona Municipal Code (“CMC”) sets forth the general standards and regulations for signs within the City; and

WHEREAS, Section 5.44.100 of the CMC also contains regulations pertaining to signs for garage sales; and

WHEREAS, on October 12, 2023, the City Council directed City staff to process an amendment to the CMC to prohibit temporary signs within the public right of way; and

WHEREAS, on February 26, 2024, the Planning and Housing Commission of the City of Corona (“Planning Commission”) conducted a duly noticed public hearing and recommended that the City Council amend Section 17.74.070 (Prohibited Signs) of Chapter 17.74 (Signs) of Title 17 (Zoning) of the CMC to prohibit temporary signs within the public right of way (ZTA 2024-0002) (“Zone Text Amendment”); and

WHEREAS, the Planning Commission based its recommendation to adopt the Zone Text Amendment on the findings set forth below; and

WHEREAS, it is also necessary to amend Section 5.44.100 of the CMC to prohibit garage sale signs within the public right of way; and

WHEREAS, on March 20, 2024, the City Council held a duly noticed public hearing at which all persons wishing to testify in connection with this Zone Text Amendment were heard and this Zone Text Amendment was comprehensively reviewed.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA Findings. As the decision-making body for this Zone Text Amendment, the City Council finds that this action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA

applies only to projects that have the potential for causing a significant effect on the environment. 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, the activity is not subject to CEQA. This action involves minor changes to the text of the Zoning Code and other provisions of the CMC to prohibit temporary signs within the public right of way. This action involves no physical impacts and does not modify density or capacity. As such, there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required.

SECTION 2. Zoning Findings. Based on the entire record before the City Council and all written and oral evidence presented to the City Council, the City Council hereby makes and adopts the following findings:

A. The proposed Zone Text Amendment is consistent with the General Plan and applicable specific plans for the following reasons:

(i) ZTA2024-0002 is consistent with General Plan Goal LU-5 to promote distinct and well-maintained neighborhoods and districts that contribute to the identity, character, and image of Corona as a livable, diverse, innovative, and environmentally sustainable community because it will prevent the visual clutter of temporary signs in the parkway and maintain the aesthetic appearance of the landscaped parkways along city streets.

(ii) ZTA2024-0002 is consistent with Land Use Policy 5.9 which requires adherence to the design and development guidelines as subsequently stipulated by the General Plan's policies for each land use district, as well as implementing ordinances and specific plans because CMC Chapter 17.74 establishes objective development standards for signage and would specifically prohibit the placement of temporary signs in the public right-of-way.

B. The proposed Zone Text Amendment is consistent with Title 17 of the Corona Municipal Code for the following reason:

(i) ZTA 2004-0002 is consistent with the intent of Title 17 of the Corona Municipal Code because it enhances the City's objective development standards to promote orderly development and provide well-planned neighborhoods in the City.

C. The proposed Zone Text Amendment will provide for the public health, safety and welfare for the following reason:

(i) ZTA 2024-0002 will prohibit temporary signs in the public right-of-way, which will prevent visual clutter and minimize distractions for travelers along major thoroughfares and local streets.

(ii) ZTA2024-0002 will maintain the aesthetic appearance of the City's landscape parkways along city streets and enhance the quality of life for city residents and businesses.

SECTION 3. Zoning Text Amendment. ZTA2024-0002 is hereby approved.

SECTION 4. Amendment to Section 17.74.070. Section 17.74.070 (Prohibited Signs) of Chapter 17.74 (Signs) of Title 17 (Zoning) is hereby amended to read as follows:

“17.74.070 Prohibited signs.

The following signs are inconsistent with the purposes and standards of this chapter and are prohibited in the City of Corona.

(A) Animated or moving signs except for clocks, time and temperature displays and public service signs, and those signs that may be approved through the conditional use permit process.

(B) Portable, folding, A-frame, or similar signs.

(C) Signs emitting audible sounds, odors, or visible matter.

(D) Signs erected so that any portion of its surface or supports interfere with the free use of a fire escape, or exit, or obstruct a required ventilator, door, stairway, or window.

(E) Notices, placards, bills, posters, cards, stickers, banners, signs, advertisings, or other devices designed to attract the attention of the public that are posted or otherwise affixed upon any street furniture, right-of-way, public sidewalk, crosswalk, curb, lamppost, fencing, hydrant, tree, alley, telephone pole, public telephone, lighting system, or other public alarm or communication system; or that overhang any public lands or right-of-way.

(F) Signs that are mounted on the roof of a building, including mansard roofs, and similar architectural roof-like elements.

(G) Balloons, blimps, lighter-than-air devices, inflatable signs and objects, except as may be allowed through a temporary use permit.

(H) Except as provided in § 17.74.220 (regarding flags, banners, and pennants on city-owned light poles) and in § 17.74.120 (regarding kiosk signs), flags, banners, pennants, festoons, off-premises and outdoor advertising signs (billboards). However, notwithstanding any other provision of this chapter, and consistent with the California Business & Professions Code Outdoor Advertising provisions, new outdoor advertising signs (billboards), including electronic message centers, electronic message boards, and changeable message boards, may be considered and constructed as part of a relocation agreement requested by the city and entered into between the city and a billboard and/or property owner. The replacement of a static billboard face with an electronic message center, electronic message board, or changeable message board pursuant to a billboard relocation agreement shall be considered a relocation for purposes of this section. The execution of a relocation agreement shall not operate to change the status of any billboard as a nonconforming use for purposes of this code. Such billboard relocation agreements may be approved by the City Council within its sole and absolute discretion and upon terms that are acceptable

in its sole and absolute discretion; provided, however, that at a minimum the following conditions shall apply:

(1) A billboard may be relocated from a parcel with surface street frontage to a parcel with freeway frontage only if the following occur as part of such relocation:

(a) At least three billboards are removed in exchange for the one relocated billboard; and

(b) The total combined square footage of the relocated billboard is less than the total combined square footage of the three removed billboards, with each panel or billboard face being counted toward the total square footage.

(2) A billboard may be relocated from a parcel with surface street frontage to another parcel with surface street frontage only if the following occur as part of such relocation:

(a) The surface street on which the relocated billboard is located must be the same surface street on which the removed billboard had been located; and

(b) The total combined square footage of the relocated billboard is less than the total combined square footage of the removed billboard, with each panel or billboard face being counted toward the total square footage.

(3) A billboard may be relocated from a parcel with freeway frontage to another parcel with freeway frontage only if the total combined square footage of the relocated billboard is less than the total combined square footage of the removed billboard, with each panel or billboard face being counted toward the total square footage.

(4) A billboard located on a parcel with freeway frontage may not be relocated to a parcel with surface street frontage.

(5) For all billboard relocations, the total square footage of the relocated billboard must be less than the total combined square footage of the removed billboard, with each panel or billboard face being counted toward the total square footage.

(I) Signs in the public right-of-way except as authorized by a recognized government agency. ~~temporary signs including human sign twirlers may be permitted in public rights-of-way from 7:00 a.m. Saturday to 7:00 p.m. Sunday. Signs shall not be posted to create a safety or litter hazard by adhering to the following criteria:~~

~~—(1) Sign shall be two feet by three feet in size and no more than three feet high from the ground; and~~

~~—(2) Sign shall be securely fastened to ground on a single metal or wood support not fixed to another sign, tree, structure, utility or mechanical equipment.~~

~~—(3) Sign shall be placed no closer than ten feet from the corner to preserve driver site visibility. Signs shall not be placed within~~

~~center median unless parking is provided adjacent to the median; and~~

~~—(4) No more than three signs per business, entity, or person shall be located on a single block; and~~

~~—(5) Sign shall be constructed of substantial sturdy material, not single layer cardboard, paper or bond stock; and~~

~~—(6) Signs placed in the public right-of-way posted outside the criteria or times permitted;~~ will be subject to removal by the city with the costs to remove borne by the responsible party in accordance with § 17.74.200.

(J) Signs placed on stationary vehicles/trailers in the public right-of-way for the purpose of advertising businesses, services, or products.”

SECTION 5. Amendment to Section 5.44.100. Section 5.44.100 (Signs) of Chapter 5.44 (Garage Sales) of Title 5 (Business Licenses and Regulations) is hereby amended to read as follows:

“5.44.100 Signs.

(A) Only the following signs may be displayed in relation to a garage sale:

(1) No more than two signs of not more than four square feet each may be displayed on the premises where the garage sale is being conducted;

(2) Two signs of not more than two square feet each may be displayed off the premises, provided the permission to erect the signs is received from the property owners upon whose property the signs are to be placed.

(B) No sign shall be exhibited for more than two days prior to the day such sale is to commence. All signs shall be removed at the close of the sale.

(C) As provided in § 17.74.070 (I)., no sign shall be placed in the public right-of-way according to § 17.74.070 (I).”

SECTION 6. Official Record. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Corona City Hall, 400 S. Vicentia Avenue, Corona, California 92882. The custodian for these records is the Planning and Development Director of the City of Corona.

SECTION 7. Severability. If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 8. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this 3rd day of April 2024.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held the 20th day of March, 2024, and thereafter at a regular meeting held on the 3rd day of April 2024, it was duly passed and adopted by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 3rd day of April 2024.

City Clerk of the City of Corona, California

(SEAL)

SUMMARY

On April 3, 2024, the Corona City Council will consider amending Sections 5.44.100 and 17.74.070 of the Corona Municipal Code to prohibit temporary signs in the public right of way. A certified copy of the full text of this proposed ordinance amendment is posted at the City Clerk's Office.

The City Council meets at 6:30 p.m. in the Council Chambers in the Corona City Hall located at 400 South Vicentia Avenue. The City Clerk is located in Suite 115 of the City Hall near the north entrance.