



# MEMO

**To:** City of Westminster, Planning Commission  
**From:** Stephanie Tomaino, Contract Principal Planner  
**Date:** August 21, 2024  
**Subject:** Revisions to the Draft Billboard Ordinance

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Subsequent to the publication of the Planning Commission agenda packet, staff received comments from a member of the public that raised several concerns and questions. In response, staff, in collaboration with the City Attorney's Office, reviewed the comments and identified the need for further revisions to the draft Billboard Ordinance. The recommended changes, as shown in the redlined copy of the ordinance (Attachment 1), are designed to address potential conflicts with State law, clarify areas of ambiguity within the draft ordinance, and ensure the effective implementation of the Billboard Ordinance.

Staff recommends the Planning Commission adopt a resolution recommending that the City Council approve the Billboard Ordinance, with the inclusion of the additional redlined revisions provided in Attachment 1.

Attachment:

1. Proposed revisions to draft Billboard Ordinance shown in [redlines](#)

Planning Commission Resolution No. 24-008  
Exhibit 1: Draft City Council Ordinance

**- REVISED -**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA, APPROVING A ZONING TEXT AMENDMENT (CASE NO. 2024-0188) AMENDING TITLE 17 OF THE WESTMINSTER MUNICIPAL CODE, CHAPTER 17.330 – SIGNS, RELATED TO ELECTRONIC BILLBOARD FREEWAY SIGNS (BILLBOARD ORDINANCE)**

**WHEREAS**, the City of Westminster, California (“City”) recognizes the need to update and amend its billboard regulations contained within Chapter 17.330 (Signs) of the Westminster Municipal Code (“WMC”) to address evolving technologies and practices in outdoor advertising; and

**WHEREAS**, the proliferation of billboards and other forms of electronic display signs without proper regulation could lead to visual clutter, traffic safety issues, and adverse impacts on residential neighborhoods; and

**WHEREAS**, the City, under its land use authority and pursuant to the California Outdoor Advertising Act (California Business and Professions Code, Section 5200 et seq.), has the right to regulate the time, place, and manner of signs, including billboards, to ensure they do not adversely affect the community’s safety, welfare, and aesthetic standards;

**WHEREAS**, the City seeks to establish clear and comprehensive regulations for billboard signs, including electronic message boards, to ensure they are installed and maintained in a manner that promotes public safety, aesthetic quality, and community standards; and

**WHEREAS**, the City initiated Zoning Text Amendment (Case No. 2024-0188) to amend Chapter 17.330 (Signs) of the WMC modifying signage regulations for billboards, including adding standards for the location, development, and design of electronic billboard freeway signs (hereinafter “Billboard Ordinance”);

**WHEREAS**, the proposed Zoning Text Amendments aim to balance the interests of advertisers, property owners, and the community by establishing standards that govern the location, design, operation, and associated community benefits of billboards; and

**WHEREAS**, on August 21, 2024, the Planning Commission of the City of Westminster, California held a duly noticed public hearing on the Billboard Ordinance and zoning text amendments, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties; and

**WHEREAS**, the Planning Commission adopted Resolution No. 24-008 recommending that the City Council approve the Billboard Ordinance, including Zoning Text Amendments (Case No. 2024-0188) related to electronic billboard freeway signs, and recommending that the City Council find that the Billboard Ordinance is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change to the environment and is thus not a “project” as defined by State CEQA Guidelines Section 15378 (see State CEQA Guidelines, § 15060(c)(2) and (3)).; and

**WHEREAS**, in accordance with Government Code Section 65091(a)(4), for projects affecting over 1,000 property owners, a one-eighth (1/8th) page notice of the public hearing describing the project, date, time and location of the hearing was advertised in the *Westminster Herald Journal* newspaper at least 10 days prior to the September \_\_, 2024, hearing date. A notice was also posted at the project site, City Council Chambers, City Hall, Westminster Branch Library, Community Services and Recreation Building, and on the city’s website; and

**WHEREAS**, the City Council finds that the proposed amendments are consistent with the goals and policies of the City’s General Plan, Westminster Strategic Plan, and will serve the public interest by enhancing the quality of life and promoting the orderly development and use of land within the City; and

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals.** The City Council of the City of Westminster, California, hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of the City Council.

**SECTION 2. CEQA.** The City Council finds that the adoption of the Billboard Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change to the environment and is thus not a “project” under State CEQA Guidelines 15378 (see State CEQA Guidelines, Section 15060(c)(2) and (3)). Here, the ordinance does not constitute a project subject to CEQA because it modifies the City’s regulations and review procedures for future billboard applications, without approving any specific development or physical changes at this time. Additionally, the Billboard Ordinance is exempt from CEQA under Section 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA 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. Here, there is no possibility that the ordinance may have a significant effect on the environment because they simply revise the WMC without authorizing any specific physical development or alteration.

**SECTION 3. Required Findings.** Pursuant to WMC Section 17.620.030, the City Council approves the Billboard Ordinance, including a Zoning Text Amendment (Case No. 2024-0188), related to electronic billboard freeway signs, based upon the

following findings:

1. The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and will not create any inconsistencies with this Title, in the case of a Zoning Code amendment;

The Billboard Ordinance is consistent with Policy No. ED-2.7 of the General Plan Economic Development Element, which states: “Development Support for Fiscal Vitality. Secure developments that serve the economic needs of the community and effectively sustain or increase the City’s ability to provide all public services and maintenance demands.” The amendment requires billboard applicants to enter into Development Agreements or operating agreements with the City, which will generate revenues and provide public benefits, thereby supporting the community’s overall welfare. Additionally, the amendments support Goal No. 1 of the Westminster Strategic Plan to “Achieve Financial Stability” by updating billboard regulations to reflect current market conditions. These updates include the establishment of clear and objective development standards, which streamline the review process, foster orderly development, and encourage economic development opportunities.

Therefore, the proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and will not create any inconsistencies with this Title.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

The Billboard Ordinance establishes clear and consistent development standards that ensure billboards are appropriately sited, designed, and operated in a manner that minimizes potential impacts on the community. By regulating the location and design of billboards, particularly in proximity to residential areas and sensitive land uses, the Ordinance protects the public from potential adverse effects such as visual clutter, excessive brightness, and traffic safety concerns. Furthermore, the requirement for an agreement with the City ensures that future billboards would generate associated public benefits, such as revenue generation and public service messaging, which directly contribute to the overall welfare of the community.

3. The proposed amendment is in compliance with the provisions of CEQA.

Adoption of the Billboard Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change to the environment and is thus not a “project” as defined by State CEQA Guidelines Section 15378 (see State CEQA Guidelines, § 15060(c)(2) and (3)). In the alternative, even if adoption of the ordinance did qualify as a project under CEQA, it would be exempt from CEQA under 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA 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.

**SECTION 4. WMC § 17.330.090. Addition.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.090, is hereby added to read in its entirety as follows:

§ 17.330.090 ELECTRONIC BILLBOARD FREEWAY SIGNS

- A. Purpose. Electronic billboards, as defined in § 17.700.010, are recognized as a legitimate form of commercial use in the city. However, the size, number, location, and illumination of electronic billboards can have significant influence on the city's visual environment, and can, without adequate control, create or contribute to blighted conditions. The purpose of this section is to provide reasonable electronic billboard controls along the freeway corridors through the city, recognizing that community appearance and traffic safety are important factors in ensuring the general community welfare.
- B. Conflicts with other provisions of the zoning ordinance. Electronic billboards allowed under the provisions of this section shall be in addition to all other signs allowed by the zoning ordinance. The locations and heights of allowed electronic billboards shall be governed by this section. If there is a conflict between the provisions of this section and other sections of the zoning ordinance, the provisions of this section shall control.
- C. General provisions.
  - 1. Electronic billboards shall be allowed in Commercial and Industrial zones as a conditional use provided it meets all other requirements of this section and subject to the limitations of this section, and notwithstanding the provisions of any other section of the zoning ordinance.
  - 2. Sign permit required. To ensure compliance with the regulations contained in this section, a sign permit shall be required to erect, repair, alter, relocate, or maintain any electronic billboard. Application for said permit shall be on a form provided by the city and shall be accompanied by a filing fee as set by City Council resolution.
  - 3. Each individual proposal for construction of a new billboard structure, or modification of a billboard structure, shall be considered a separate application, and each application shall be separately and individually subject to the provisions in this code relating to conditional use permits, and the provisions and requirements of this section. Multiple sites shall not be combined into one application.
- D. Operating agreement required. Electronic billboards shall only be permitted when the city has entered into an operating agreement or development agreement with an electronic billboard owner to allow for an electronic billboard under certain circumstances; including (i) generating revenue that enhances public services and benefits the community; (ii) the provision of access to the city to a portion of the total available display time to allow the city to present messages of community interest and information, and public safety; (iii) the

provision of access to the appropriate agencies for the purpose of displaying “Amber Alert” messages and emergency-disaster communications; and (iv) to establish quality and maintenance standards.

E. Locations prohibited.

1. Within a classified "landscaped freeway" pursuant to the state regulations relating to the California Outdoor Advertising Act (4 California Code of Regulations §§ 2500 et seq.), as they currently exist or may hereafter be amended, unless authorized by Caltrans through a relocation agreement or declassification of a section of landscaped freeway approved by Caltrans.
2. On ~~sites properties~~ that are not adjacent to Interstate 405 (I-405) or State Route 22 (SR-22) freeways.
3. On the roof of a building, whether the building is in use or not.
4. On the wall of a building or otherwise attached to, or integrated to, or suspended from a building.
5. Within 200 feet of residential uses, as measured from the closest edge of the electronic billboard sign face to the exterior wall of the nearest habitable residential structure, as such use exists on the date the electronic billboard conditional use permit application is approved by the city. This minimum distance may be reduced if an independent engineering light study can demonstrate that effects to nearby residential uses at the proposed distance and height will not result in a lighting or glare impact above industry standards. For the purposes of this section, a residential use is a home or dwelling unit located in a residential zone. For the purposes of this section hotels, motels, or other transient occupancy units are not considered residential units.
6. The minimum distance between two (2) or more billboards or between billboards and the freeway right-of-way shall be the same as the minimum distance and separation criteria established by the California Department of Transportation. ~~All distances shall be measured from the vertical centerline of each billboard face.~~
7. In no event shall any billboard be permitted in any location which would result in a violation of any applicable federal, state, or local law.

F. Development standards.

1. Maximum height. The maximum height of an electronic billboard shall be 90 feet. However, applicants must demonstrate that the proposed height is necessary for effective visibility and communication. The City reserves the right to require a reduction in height if it is determined that the maximum height is not justified based on the site’s topography, surrounding architectural context, and considerations for freeway traffic safety.

Architectural elements may extend the billboard height by an additional six feet, provided they do not compromise the aforementioned considerations.

2. Minimum setback. The minimum setback distance of the electronic billboard column support post shall be at least 10 feet from any property line ~~and at least 10 feet from any building~~. The minimum setbacks may be reduced as a part of the conditional use permit approval review if the Planning Commission finds, following a public hearing and absence of adverse comments from the community, that the electronic billboard as proposed will not be placed and/or designed in such a manner as to create a traffic hazard or negatively impact neighboring properties. Examples of such sign placement and/or design include, but are not limited to, signs which interfere with traffic sight distances, traffic flow or the visual access to a traffic sign; and signs with color, configuration, text, or location which cause them to be mistaken for, or otherwise imitate, a traffic sign or signal.
3. Maximum number per property. No more than one electronic billboard shall be permitted per individual property or site.
4. Public right-of-way encroachments. No portion of an electronic billboard shall project over the width of any street, highway, public sidewalk, or other public right-of-way unless the applicant secures written permission from the appropriate governing agency.
5. Driveways. Electronic billboards projecting over a driveway or driving aisle shall have a minimum clearance of 16 feet between the lowest point of the face, including architectural elements, and the driveway grade.
6. Pedestrian walkway. Electronic billboards projecting over a pedestrian walkway shall have a minimum clearance of twelve feet between the lowest point of the face, including architectural elements, and the walkway grade.
7. Minimum ground clearance. Electronic billboards shall have a minimum clearance of eight feet between the lowest point of the face, including architectural elements, and ground level so as not to provide an attractive nuisance for graffiti and vandalism.
8. Face orientation. Electronic billboards shall be designed to be viewed primarily by persons traveling on the Interstate 405 (I-405) or State Route 22 (SR-22) freeways. No electronic billboard shall have more than one face (display surface) oriented in the same vertical plane.
9. The electronic billboard shall be constructed to withstand a minimum wind pressure of 20 pounds per square foot of exposed surface.
10. Each electronic billboard shall comply with all applicable federal, state, and local laws and regulations, including but not limited to, the Highway Beautification Act of 1965 (23 U.S.C. § 131 et seq.), the California Outdoor Advertising Act (Cal. Bus. and Prof. Code §§ 5200 et seq.), and the



California Vehicle Code, as they currently exist or may hereafter be amended.

G. Standards of design.

1. Digital Requirement. Only digital billboards are permitted. Static images, including but not limited to printed or painted billboards, are not allowed. This standard is enforced to ensure dynamic content delivery that can efficiently accommodate multiple advertisers and provide timely public service announcements.
  2. The cylindrical column support post of all electronic billboards shall have an architectural façade or treatment approved by the City. The architectural treatment should enhance the billboard's appearance.
  3. Maximum number of faces. No electronic billboard shall have more than two faces. A face shall be considered the display surface upon which an advertising message is displayed.
    - a. The faces of two-sided electronic billboards shall be identical in size.
    - b. The top, bottom, and sides of the faces shall be in alignment, and no portion of either face shall project beyond the corresponding portion of the other face. Architectural elements shall also be aligned on both sides of the electronic billboard.
  4. Each face of the sign shall be no larger than 20 feet by 60 feet in dimension (total 1200 square feet), plus framing.
  5. All new billboard structures shall be free of any visible bracing, angle iron, guy wires, cable, and/or similar supporting elements. All exposed portions of new billboards, including backs, sides, structural support members and support poles, shall be screened to the satisfaction of the Director of Community Development.
  6. The utilities of each electronic billboard shall be underground.
- H. Exceptions to standards. In general, no electronic billboard should exceed the size, height, or setback limitations set forth in this section. However, as rigid numerical or other design standards may preclude certain site-specific conditions or unique circumstances that might better achieve the purpose and objectives of this section, exceptions to the stated numerical or design standards, including size, shape, and height, may be approved by the Planning Commission when appropriate. For any approval of an electronic billboard which does not strictly conform to the stated numerical and design standards set forth in this section or the applicable conditional use permit approval, the Planning Commission must first make the following findings in writing:

1. The proposed electronic billboard achieves the purposes and objectives of this section and the city sign ordinance; and
  2. The proposed electronic billboard is appropriate and consistent with the architecture and context of the building and surrounding vicinity; and
  3. The proposed electronic billboard's height and placement are justified by unique site conditions, such as topography, existing structures, or other obstructions that impede visibility, ensuring that the sign's placement and height are necessary for adequate visibility to motorists; and
  4. The proposed electronic billboard provides a public benefit, such as enhancing community information dissemination, improving public safety messaging, or contributing to the economic development of the area; and
  5. The proposed electronic billboard will not have a detrimental impact on the visual character or aesthetic quality of the area, and adequate measures are in place to mitigate any potential adverse effects.
- I. Operational restrictions.
1. No electronic billboard shall display flashing, shimmering, glittering, intermittent or moving light or lights. Exceptions to this restriction include time, temperature, and smog index units, provided the frequency of change does not exceed four-second intervals.
  2. Minimum display time. Each message on the sign must be displayed for a minimum of four seconds or the minimum time allowed under the State of California Outdoor Advertising Act and Caltrans implementing regulations, whichever is the shorter period of time.
  3. Maximum display time. Electronic billboard messages shall be displayed for no longer than two minutes at a time.
  4. Each electronic billboard shall be designed to either freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction.
  5. No electronic billboard shall utilize technology that would allow interaction with drivers, vehicles or any device located in vehicles, including, but not limited to, a radio frequency identification device, geographic positions system, or other device.
  6. No electronic billboard shall emit audible sound, odor, or particulate matter.
  7. No electronic billboard shall simulate or imitate any directional, warning, danger or information sign, or any display likely to be mistaken for any permitted sign intended or likely to be construed as giving warning to traffic, by, for example, the use of the words "stop" or "slow down."

8. No electronic billboard shall involve any red or blinking or intermittent light likely to be mistaken for warning or danger signals, nor shall its illumination impair the vision of travelers on the adjacent freeway and/or roadways. Illuminations shall be considered vision impairing when its brilliance exceeds the values set forth in Cal. Vehicle Code § 21466.5.
  9. Each electronic billboard shall be provided with an ambient light sensor that automatically adjusts the brightness level of the electronic sign based on ambient light conditions.
  10. Electronic billboards shall not operate at brightness levels of more than 0.3-foot candles above ambient light, as measured using a foot candle meter at a distance of 250 feet for a sign with a nominal face size of 14 feet by 48 feet and a distance of 350 feet for a sign with a nominal face size of 20 feet by 60 feet, and shall otherwise comply with Section 5403(g) of the Outdoor Advertising Act and Section 21466.5 of the California Vehicle Code.
  11. No electronic billboard shall be maintained in the city unless the name of the person or company owning or maintaining it and the identifying number of the electronic billboard are plainly displayed thereon.
  12. No digital billboard shall be operated or maintained so as to constitute an “improper display,” as defined or described in Business and Professions Code Section 5403.
  13. Each digital billboard shall be connected to the National Emergency Network and provide emergency information, including child abduction alerts (i.e., “Amber Alerts”), in accordance with local and regional first responder protocols.
- J. Outdoor advertising permit. Billboards situated within 660 feet of the edge of the right-of-way and primarily visible to persons traveling on a freeway shall require a permit from Caltrans.
- K. Additional requirements. Prior to issuance of a building permit for any electronic billboard project subject to the requirements of this chapter, the applicant shall provide the following:
1. The telephone number of a maintenance service, to be available 24 hours a day, to be contacted in the event that an electronic billboard becomes dilapidated or damaged.
  2. Proof of property ownership or a lease demonstrating a right to install the electronic billboard on the subject property.
  3. A list of locations of all electronic billboards in the city owned or managed by the entity that will own or manage the subject electronic billboard.

- M. Future technologies. The technology currently being deployed for electronic billboards is LED (light emitting diode), but there may be alternate, preferred, or superior technology available in the future. Owners of electronic billboards are authorized to change the electronic billboards to any other technology that operates under the maximum brightness standards allowed by the relevant transportation authority. The city shall expedite any required approvals for technology that is superior in energy efficiency over previous generations or types.
- N. After receiving approval to install an electronic billboard, owners of electronic billboards may replace the digital faces to their electronic billboard, however, the following shall apply:
  - 1. All required permits are obtained.
  - 2. All screening and architectural elements are maintained.
  - 3. The number of physical sign faces shall not be increased.
  - 4. The overall size of the sign faces shall not be increased by more than 5% over the originally approved design.

**SECTION 5. WMC § 17.330.035 Amendment.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.035 (Signs in the Public Right-of-Way), is hereby amended as follows:

No signs shall be permitted in the public right-of-way, except as specified below. Any sign installed or placed on public property, except in conformance with the requirements of this Section, shall be forfeited to the public and subject to confiscation. In addition to other remedies herein, the City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign. Signs allowed in the public right-of-way are:

- A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate vehicular or pedestrian traffic;
- B. Informational signs of a public utility regarding its poles, lines, pipes, or facilities;
- C. Bus-stop signs or bus-stop structures erected or placed by a public-transit company or private company franchised by a governmental body;
- D. Signs placed by educational, philanthropic, religious, and public-service organizations; and by hospitals, libraries, and museums, all subject to the requirements and approval of the City Engineer;
- E. Projecting signs, subject to the requirements of Tables 3-8, 3-9 and 3-11, as applicable thereto;

- F. Warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized work or permitted work within the public right-of-way.
- G. Electronic billboards permitted under Section 17.330.090, where the billboard projects over the width of any street, highway, public sidewalk, or other public right-of-way, provided that the applicant secures an encroachment permit, easement, or other required written permission from the City or appropriate governing agency.

**SECTION 6. WMC § 17.330.050.C. Amendment.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.050 (Special Provisions), is hereby amended to read in its entirety as follows:

Special provisions shall apply to the following uses and said uses shall be exempt from any other regulation of this Chapter that conflicts with this Section to the extent of such conflict and no further.

- A. Automobile Dealerships, New and Used. In addition to any permitted permanent signs, automobile dealerships shall be permitted to display nonmetallic helium balloons 18 inches in diameter or less on the weekends (Friday 9:00 a.m. through Sunday 12:00 a.m.), and on legal holidays (9:00 a.m. on the day preceding the holiday through 12:00 a.m. on the day of the holiday, unless the holiday contains a weekend, in which case the display shall cease at 12:00 a.m. on Sunday or the last day of the holiday period, whichever occurs last), provided that they do not project over the public right-of-way, do not exceed an overall altitude above the ground of 30 feet or create a public nuisance. The use of large (over 18 inches in diameter) non-helium inflatable advertising devices (including cold-air balloons) shall be subject to Commission review at a non-public hearing. All such large non-helium inflatables shall be affixed to the ground or the roof of a building, and shall be limited to 12 weekends or holidays per calendar year. Automobile dealerships shall be permitted to display pennants, flags, and temporary signs of a uniform design affixed to light standards within the property limits, and car-top signs throughout the year. Banners shall be limited to 90 days of display per calendar year, upon approval of a temporary sign permit. All components of an advertising display shall be maintained in good condition and shall not be permitted to become unsightly or a public nuisance.
- B. Apartment Complexes, 16 Units or More. In addition to any permitted permanent signs, apartment complexes containing at least 16 units may be permitted to display flags and banners advertising apartments for rent or lease subject to Commission review at a non-public hearing. Approval may be granted by the Commission for up to one year, renewable annually, with the exception of banners, which shall be limited to 110 days per year. Pennants are prohibited. Displays shall comply with the following requirements:
  - 1. There shall be no more than 1 flag pole for every 30 lineal feet of frontage on a public street. The pole shall be located behind the property line. Additional poles,

as approved by the Commission, may be placed along either side of the main walkway(s) leading to the main entrance(s) of the apartment complex.

2. Flag poles shall not exceed a height of 20 feet, and shall be placed in a vertical orientation. No flag pole shall encroach into the public right-of-way in any manner.
3. Flags shall only be attached to flag poles and shall not exceed a maximum of 24 square feet in size. Flags shall have a consistent color scheme and design. Only 1 flag per pole shall be permitted.
4. Banners shall be affixed to the building face or attached between 2 flag poles. Banners shall be limited to 2 per property. Banners shall not exceed a maximum size of 24 square feet, with no dimension measuring greater than 8 feet. Banner colors shall have a consistent color scheme and design and be complimentary to buildings. Banners may be displayed from 3:00 p.m. Friday through 6:00 p.m. Sunday.
5. All flags and banners shall be maintained in good condition and shall be immediately replaced if they become dirty, faded, torn or detached from their anchor points.

C. Signs on Existing Buildings Undergoing a Renovation. Whenever a building renovation program is being proposed, consideration should also be given to the development of a new sign program.

1. When 50 percent or more of existing signs in a development are going to be replaced, the remainder of the signs shall also be replaced at the same time in accordance with an approved sign program.
2. Within multiple tenant centers, as signs are replaced they shall be brought into conformance with the standards established in this Title and the City's adopted Design Guidelines Manual. When 50 percent of the tenant signs have been replaced, the remainder of the signs shall also be brought into conformance with the standards established in this Title and the City's adopted Design Guidelines Manual.

**SECTION 7. WMC § 17.330.080 Amendment.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.080 (Standards by Sign Type and Zoning District), Subsection A (Sign Allowance), is hereby amended as follows:

\* \* \*

3. The characteristics of the sign conform with the limitations outlined in Table 3-12.

The land use designations referenced in Tables 3-8, 3-9, 3-10 and 3-12 shall be as follows:

- R1 – Residential, Single-Family
  - RM – Residential, Multiple (R2 to R5)
  - IN – Institutional, Semi-Institutional
  - C – Commercial and Mixed-Use
  - LS – Little Saigon District
  - CC – Civic Center District
  - I – Industrial Uses
  - PF – Public Facilities
  - V – Vacant Land
- \*\*\*

**SECTION 8. WMC § 17.330.080, Table 3-8 Amendment.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.080 (Standards by Sign Type and Zoning District), Table 3-8 (Permitted Signs by Type and Zoning District), is hereby amended as follows:

<b>Table 3-8 Permitted Signs by Type and Land Use</b>									
<b>Sign Type</b>	<b>R1</b>	<b>RM</b>	<b>IN<sup>1</sup></b>	<b>PF</b>	<b>C</b>	<b>I</b>	<b>LS</b>	<b>CC</b>	<b>V</b>
<b>Freestanding</b>									
Monument	NP	P	P	P	P	P	P	P	NP
Pylon or pole sign <sup>11</sup>	NP	NP	P	P	P	P	P	P	NP
Incidental <sup>2</sup>	P	P	P	P	P	P	P	P	P
Billboard, <u>electronic</u> <sup>3</sup>	NP	NP	NP	NP	CUP	CUP	NP	NP	P
<u>Billboard, static</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
***									
<b>Sign Characteristics</b>									
Animated	NP	NP	NP	NP	NP	NP	NP	NP	NP
Changeable copy	NP	NP	P	P	P	P	P	P	NP
Electronic message board <sup>12</sup>	NP	NP	AUP	AUP	CUP	NP	CUP	AUP	NP
***									

**Notes:**

P = Permitted; NP = Not Permitted; CUP = Conditional Use Permit required; AUP = Administrative Use Permit required; NA = Not Applicable

1. This class of uses applies to institutional and quasi-institutional uses allowed under this Title within any zoning district, subject to a Conditional Use Permit. Such uses may include but are not limited to day care facilities, convalescent hospitals, senior housing, and similar uses.

2. No commercial message allowed on the sign if such message is legible from any location off the lot on which the sign is located (see Article 7 for definition of "commercial message"). In residential zones, only the address and name of the occupant is permitted. For a real estate sign, only the name, address, and phone number of the broker are permitted, as well as the words "for sale," "for lease," or "for rent."
3. Any billboard or permissible structural or electrical modification thereof permitted by this Chapter shall be subject to the regulations of this Chapter and Section 17.330.090, including the requirement for a Conditional Use Permit.  
\* \* \*
12. Electronic message boards shall be limited to a maximum of one sign per site. Such signs shall only be permitted on sites with 100,000 square feet or more of gross floor area, except for institutional and public facility land uses, which are exempt from this minimum area requirement. Additionally, the electronic message board must be located at least 250 feet away from residential uses, as measured from the closest edge of the sign face to the exterior wall of the nearest habitable residential structure.

**SECTION 9. WMC § 17.330.080, Table 3-9 Amendment.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.080 (Standards by Sign Type and Zoning District), Table 3-9 (Maximum Sign Area by Zoning District), is hereby amended as follows:

**Notes:**

NA = Not Applicable

1. Any billboard or permissible structural or electrical modification thereof permitted by this This class of uses applies to institutional and quasi-institutional uses allowed under this Title within any zoning district, subject to a Conditional Use Permit. Such uses may include but are not limited to day-care facilities, convalescent hospitals, senior housing, and similar uses.
2. Chapter shall be subject to the regulations of this Chapter and Section 17.330.090, including the requirement for a Conditional Use Permit.  
\* \* \*

**SECTION 10. WMC § 17.330.085, Table 3-10 Amendment.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.085 (Standards for Specific Sign Types), Table 3-10 (Number, Dimensions, and Location of Freestanding Signs by Zoning District), is hereby amended as follows:

**Notes:**

NA = Not Applicable

\* \* \*

7. Any billboard or permissible structural or electrical modification thereof permitted by this Chapter shall be subject to the regulations of this Chapter and Section 17.300.090.



**SECTION 11. WMC § 17.330.085, Table 3-11 Amendment.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.085 (Standards for Specific Sign Types), Table 3-11 (Number and Dimensions for Specific Sign Types), is hereby amended as follows:

Sign Type	Number Allowed	Maximum Area	Minimum Vertical Clearance
<b>Freestanding</b>			
Monument	See Table 3-10	See Table 3-10	NA
Pylon or pole sign	See Table 3-10	See Table 3-10	8 feet
Billboard <sup>2</sup>	1 per lot	See § 17.330.090	See § 17.330.090
Identification <sup>3</sup>	1 per building	50 square feet	8 feet
Incidental	Per master sign plan	Per master sign plan	Per master sign plan
* * *			

**Notes:**

NA = Not Applicable; CUP = Conditional Use Permit

1. No signs shall exceed any applicable maximum numbers or dimensions, or encroach on any applicable minimum clearance shown in this table.
2. Any billboard or permissible structural or electrical modification thereof permitted by this Chapter shall be subject to the regulations of this Chapter and Section 17.330.090, including the requirement for a Conditional Use Permit.

\* \* \*

**SECTION 12. WMC § 17.330.085, Table 3-12 Amendment.** Title 17 (Land Use), Chapter 17.330 (Signs), Section 17.330.085 (Standards for Specific Sign Types), Table 3-12 (Permitted Sign Characteristics by Zoning District), is hereby amended as follows:

<b>Table 3-12 Permitted Sign Characteristics by Land Use</b>									
Sign Type	R1	RM	IN <sup>1</sup>	PF	C	I	LS	CC	V
Animated	NP	NP	NP	NP	NP	NP	NP	NP	NP
Changeable copy	NP	NP	P	P	P	P	P	P	NP
Electronic message board <sup>5</sup>	NP	NP	AUP	AUP	CUP	NP	CUP	AUP	NP
* * *									

**Notes:**

P = Permitted; NP = Not Permitted; CUP = Conditional Use Permit required; AUP = Administrative Use Permit required

1. This class of uses applies to institutional and quasi-institutional uses allowed under this Title within any zoning district, subject to a Conditional Use Permit. Such uses

- may include, but are not limited to, day care facilities, convalescent hospitals, senior housing, and similar uses.
2. Backlit panels are prohibited. Panels shall be opaque if can-type signs are used and only the lettering shall appear to be illuminated. Backlit individually-cut letter signs are permitted. All electrical raceways shall be concealed, except that the Director may waive the requirement for concealed raceways if it can be found that such concealment is impractical due to the design of the building.
  3. Direct and indirect lighting methods are allowed except that they shall not be harsh or unnecessarily bright. Reflectors shall be used to keep light from spilling beyond the limits of the sign face if direct lighting methods are used.
  4. Inflatable devices are permitted for all automobile dealerships pursuant to Section 17.330.050. For all other commercial uses, inflatable devices are permitted only under the terms of Section 17.330.055.
  5. Electronic message boards shall be limited to a maximum of one sign per site. Such signs shall only be permitted on sites with 100,000 square feet or more of gross floor area, except for institutional and public facility land uses, which are exempt from this minimum area requirement. Additionally, the electronic message board must be located at least 250 feet away from residential uses, as measured from the closest edge of the sign face to the exterior wall of the nearest habitable residential structure.

**SECTION 13. WMC § 17.700.010 Amendment.** Title 17 (Land Use), Chapter 17.700 (Definitions of Specialized Terms), Section 17.700.010 (Definitions of Specialized Terms and Phrases), Subsection 17.700.010.S (Definitions “S.”) is hereby amended as follows:

Sign. Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of or identify the purpose of a person or entity, or to communicate information of any kind to the public. Signs are classified as follows:

Animated. Any sign that uses movement or change of lighting to depict action or create a special effect or scene so as to draw the attention of the public. This type of sign can continuously change its message or display. (See “Changeable copy” and “Electronic message board.”)

\*\*\*

Billboard, electronic. An off-site sign, conditionally permitted pursuant to §17.330.090, utilizing digital message technology, capable of changing the static message or copy on the sign electronically. An Electronic Billboard may be internally or externally illuminated. Electronic Billboards shall contain static messages only, and shall not have animation, movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign. Each static message shall not include flashing, scintillating lighting or the varying of light intensity. An Electronic Billboard consists of a digital display area and a sign structure.

Billboard, static. Any off-site sign that identifies or communicates a commercial or noncommercial message referring to an activity, a service, a commodity, a product, a person, or an event at a location other than where the sign is located, ~~as permitted under §17.330.090.~~ Static billboards do not utilize digital or electronic display technology and relies solely on fixed, non-changing images or messages. None of the following shall be deemed a billboard:

- Directional and other official signs authorized by law;
- Signs advertising the sale or lease of property upon which they are located; and
- Signs advertising activities conducted on the property upon which they are located.

\*\*\*

Changeable copy. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. This definition specifically excludes digital or electronic displays, which are referred to in this Chapter as “electronic message boards.” A sign on which the message changes more than 8 times per 24-hour day (12:00 a.m. to 12:00 a.m.) shall be considered an animated sign and not a changeable copy sign for the purposes of this Chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a “time and temperature” portion of a sign and not a changeable copy sign or animated sign for purposes of this Chapter. (See “Animated,” “Electronic message board.”)

\*\*\*

Electronic message board. Any type of on-premises sign that uses an electronic or digital display to form a message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This type of sign is intended for on-premises uses, with messages displayed for a minimum of 30 seconds before changing to a different message. Electronic message boards are distinct from, and excluded from the definition of, Electronic billboards, which are off-site signs regulated pursuant to §17.330.090. (See “Animated,” “Changeable copy” and “Flashing.”)

\*\*\*

**SECTION 14. Severability.** If any section, subsection, clause or phrase or portion of this ordinance is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this ordinance. The City Council of Westminster hereby declares that it would have passed the ordinance codified in this chapter, and each section, subsection, sentence, clause and phrase or portion thereof, even though any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

**SECTION 15. Attestation.** The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_ day of September, 2024.

CITY OF WESTMINSTER

\_\_\_\_\_  
Chi Charlie Nguyen  
Mayor

ATTEST:

\_\_\_\_\_  
Ashton R. Arocho  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Christian L. Bettenhausen  
City Attorney

CITY OF WESTMINSTER  
CITY CLERK’S OFFICE

CERTIFICATION  
OF  
ORDINANCE

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss.  
CITY OF WESTMINSTER )

I, Ashton R. Arocho, MMC, City Clerk of the City of Westminster, California, do hereby certify that the foregoing Ordinance No. \_\_\_\_ was introduced for first reading on the \_\_\_\_ day of September 2024, and duly passed, approved, and adopted by the City Council of the City of Westminster at a Regular Meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2024, with the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

\_\_\_\_\_  
Ashton R. Arocho, MMC  
City Clerk