



## Billboard Regulations

November 16, 2022

Applies Citywide  
Z-22-04



### Quick Facts

**Applicant:** City of Antioch

### Project Description

The applicant is seeking a Zoning Text Amendment to Antioch Municipal Code section "Sign Regulations" (Chapter 5, Article 5). The proposal includes:

- An update to the definition of a "billboard" in § 9-5.515 to:
  - Establish orientation and spacing requirements for billboards.
  - Expansion of allowable zoning districts for billboards.

### Requested Approvals

**ZONING TEXT AMENDMENT TO THE SIGN ORDINANCE**

**STAFF RECOMMENDATION: RECOMMEND TO COUNCIL TO APPROVE**

## BACKGROUND

### Subject Ordinance

The City's billboard regulations are contained in the Sign Regulations section (Title 9, Chapter 5, Article 5) of the Antioch Municipal Code. The Sign Regulations section includes § 9-5.515 "ADVERTISING SIGNS" which includes a definition of billboard. The City is proposing to update the definition of a billboard to create orientation and spacing requirements and expand the allowable zoning districts for billboards.

## Analysis

### Overview

The City is proposing to update the billboard regulations found in the Sign Regulations section of the Antioch Municipal Code. The proposed amendments would add text related to the allowed orientation and location of billboards, the minimum spacing between billboards, and amend the allowable zoning districts for billboards.

### Current Regulations and Existing Billboards

The Municipal Code's Sign Regulations regulate signage Citywide and provide standards for different types of signage, such as wall signage and monument signage, as well as allowable signage in different zoning districts. The Sign Regulations include provisions related to Advertising Signs in § 9-5.515, § 9-5.505(A)(2) and defines it as:

***"Advertising Sign.** A sign which directs attention to a business, profession, commodity, service, or entertainment which is conducted, sold, or offered at a location other than on the same lot or parcel upon which the sign is located."*

Within § 9-5.515 several different types of advertising signs are regulated: subdivision signs, billboards, and realty signs. The current billboard definition is:

***"Billboards.** BILLBOARD shall mean an advertising sign containing more than 50 square feet, which signs shall be permitted in the C-3, M-1, and M-2 Zones with a use permit."*

The current regulations allow billboards to be located anywhere within the permitted zoning districts subject to review and approval of a use permit. The regulations do not include language limiting billboards to areas near freeways or away from residential properties.

There are five (5) existing billboards at four different locations in the City.

- **Delta Fair Blvd.** This billboard is located on City owned property at the western edge of the City off Delta Fair Boulevard, next to Highway 4, where a pumpkin patch and Christmas tree lot are temporarily located annually.
- **Mahogany Way.** This billboard is located at 2402 Mahogany Way, at the rear parking lot of California Burrito next to Highway 4.

- **Acorn Business Park.** Two billboards are located at the Acorn Business Park property on East 18<sup>th</sup> Street.
- **Alta Fence Property.** This billboard is located at 1409 West 4<sup>th</sup> Street at the Alta Fence property.

Additionally, the City is processing applications for two (2) new billboards.

- **1202 Sunset Drive.** The City received the application for a new billboard next to Highway 4 at 1202 Sunset Drive on March 31, 2022. The parcel the billboard would be constructed on is zoned C-2, which does not currently allow billboards. As discussed below, the proposed billboard ordinance would be amended to allow billboards in the C-2 zoning district. With the adoption of the ordinance, the processing of the use permit application would continue.
- **Delta Bowl Property.** On October 27, 2022, an application for a new billboard at 3300 Delta Bowl Boulevard was received. This property is located in the C-3 zoning district, which currently allows billboards with a use permit.

A map of the existing and proposed billboards is included as Attachment B.

### Proposed Regulations

The proposed ordinance updates the definition of a billboard to create orientation and spacing requirements and expand the allowable zoning districts for billboards in four ways.

1. **Freeway Orientation.** The new regulations would require billboards to be located within 500 feet of a freeway and oriented primarily from a freeway.

This proposed language will limit billboards to being placed along Highway 4 and State Route 160. As discussed above, the City has two billboards along East 18<sup>th</sup> Street and one on West 4<sup>th</sup> Street. With the proposed language, billboards along city streets not oriented towards the freeway will no longer be permitted to be constructed. The proposed ordinance language does not change the requirement that a billboard requires a use permit.

2. **Spacing Requirements.** The proposed language includes spacing requirements between other billboards and residential areas.

The language proposes requiring billboards to be at least 4,000 feet from another billboard located on the same side of the freeway. Currently, no spacing requirements are in place. The addition of this language will limit how many billboards can be placed along the freeway. In the case of new billboards, the proposed ordinance requires a billboard support post to be placed at least 500 feet from a residential zoning district located on the same side of the freeway as the billboard. This proposed addition to the text would limit the impacts of the billboard on residential districts.

Caltrans, which issues outdoor advertising display permits has specific display location requirements for outdoor advertising displays. Caltrans requires an "electronic changeable message center display," an electronic billboard, to be 1,000 feet from another electronic message center display. The City's proposed language will exceed Caltrans requirements and limit the number of billboards within Antioch. Caltrans does not have distance requirements

from specific land uses, including residential uses. Caltrans places safety requirements on billboards, including being at least 500 feet from an interchange, that the City will not enforce. Caltrans will continue to verify its requirements through its separate permitting process.

3. **Expanded Zoning Districts.** Permitted zoning districts are proposed to expand to include the C-2, Neighborhood/Community Commercial District.

Some of the commercial properties along Highway 4 are designated as C-2 and not near residential uses. Under the proposed text, these properties, could have the potential to have billboards located on-site.

4. **Compliance with Development Standards.** Language is included to ensure that billboards do not create site conflicts with other required development standards including site circulation and on-site parking.

During the use permit application review process, staff evaluates for compliance that billboard proposals do not create conflicts with other required development standards. This proposed language provides an added level of assurance and clarity that a billboard must comply with the City's development standards. The proposed billboard regulations will allow the limited expansion of billboards along Highway 4 and State Route 160 while limiting billboards elsewhere in the city.

The proposed Zoning Text Amendment to the billboard regulations would allow billboards to be placed along the City's freeway corridor while limiting the placement of billboards in other areas of the City.

### Environmental Analysis

The ordinance amendment is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), the "Common Sense" Exemption. This exemption can be used when it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment. This ordinance merely amends the Antioch Municipal Code requirements for billboards. The zoning text amendment does not directly or indirectly authorize or approve any actual changes in the physical environment. When a specific development project occurs, it will be subject to environmental review pursuant to CEQA, if applicable. Based on the above information, this zoning text amendment is exempt from CEQA under the "Common Sense" Exemption.

### ATTACHMENTS

- A. Resolution recommending the City Council adopt the ordinance  
Exhibit A: Zoning Text Amendment Ordinance
- B. Map of Existing and Proposed Billboards

**ATTACHMENT A  
RESOLUTION RECOMMENDING THE CITY COUNCIL ADOPT THE ORDINANCE  
WITH EXHIBIT A: ZONING TEXT AMENDMENT ORDINANCE  
(SEPARATE PAGE)**

**PLANNING COMMISSION  
RESOLUTION # 2022-xx**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING THAT THE CITY COUNCIL ADOPT THE ORDINANCE AMENDING  
SECTION 9-5.515(C) OF THE ANTIOCH MUNICIPAL CODE REGARDING BILLBOARDS  
(Z-22-04)**

**WHEREAS**, Title 9, Chapter 5, Article 5 of the Antioch Municipal Code (“AMC”) establish the regulatory requirements for signs in the City of Antioch;

**WHEREAS**, § 9-5.515(C) regulates billboards within the City by stating the allowed zoning districts and stating a use permit is required;

**WHEREAS**, the proposed ordinance establishes orientation and spacing requirements for billboards, thus protecting against an overconcentration of billboards within the community;

**WHEREAS**, the proposed ordinance expands the allowable zoning districts for billboards to include the C-2, Neighborhood/Community Commercial District, which has locations along the freeway;

**WHEREAS**, the ordinance is not considered a project under the California Environmental Quality Act under the common sense exemption (CEQA Guidelines 150361(b)(3)) because it will not have a direct or reasonably foreseeable indirect physical change or effect on the environment;

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on October 6, 2022 for the public hearing held on November 16, 2022; and

**WHEREAS**, the Planning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Antioch hereby **RECOMMENDS** that the City Council adopt an ordinance amending the Antioch Municipal Code §9-5.515 (C) as proposed in the draft ordinance attached hereto as Exhibit A.

\* \* \* \* \*

**I HEREBY CERTIFY** the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of October 2022.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**FORREST EBBS**  
**Secretary to the Planning Commission**

**EXHIBIT A  
DRAFT ORDINANCE  
(SEPARATE PAGE)**



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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
AMENDING SECTION 9-5.515(C) OF THE ANTIOCH MUNICIPAL CODE  
REGARDING BILLBOARDS (Z-22-04)**

The City Council of the City of Antioch does ordain as follows:

**SECTION 1:**

The City Council determined on \_\_\_\_\_, 2022 pursuant to the California Environmental Quality Act (CEQA) Guidelines § 15061(b)(3), the “Common Sense” Exemption, there is no possibility that this project will have a significant impact on the physical environment. The rezone does not directly or indirectly authorize or approve any actual changes in the physical environment. When a specific development project occurs on the project site, it will be subject to environmental review pursuant to CEQA, if applicable.

**SECTION 2:**

The City Council finds that the public necessity requires the proposed zoning ordinance amendments to impose requirements within the City of Antioch that are consistent with State law; said amendments are not detrimental to properties within Antioch, and that the proposed zoning ordinance amendment is in conformance with the Antioch General Plan.

**SECTION 3:**

At its regular meeting of November 16, 2022, the Planning Commission recommended that the City Council adopt the Ordinance amending § 9-5.515(C) of the Antioch Municipal Code.

**SECTION 4:**

§ 9-5.515(C) is amended as follows:

(C) *Billboards.* **BILLBOARD** shall mean an advertising sign containing more than 50 square feet. ~~which signs shall be permitted in the C-3, M-1, and M-2 Zones with a use permit.~~

(1) **Orientation.** Billboards shall be located within 500 feet of a freeway right-of-way line and oriented to be viewed primarily from a freeway.

(2) **Spacing.** No billboard shall be placed within 4,000 feet of another billboard located on the same side of a freeway. The support post for a new billboard shall be placed at least 500 feet from a residential zoning district located on the same side of the freeway as the billboard.

(3) **Zoning.** Billboards shall be permitted in the C-2, C-3, M-1, and M-2 zones.

(4) **Preservation of Development Standards.** The billboard shall not create site conflicts with other required development standards. This includes but is not limited to site circulation, preservation of on-site parking, and other development standards as required by the Antioch Municipal Code.

(5) **Use Permit Required.** A use permit is required for a billboard.

**SECTION 5: Severability.**

If any section, subsection, provision or part of this ordinance, or its application to any person or circumstance, is held to be unconstitutional or otherwise invalid, the remainder of this ordinance, and the application of such provision to other person or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this ordinance are severable.

**SECTION 6. CEQA.**

The above amendments to the City’s Municipal Code are not considered a project under the California Environmental Quality Act under the common sense exemption (CEQA Guidelines §15061(b)(3) because the proposed amendments will not have a direct or reasonably foreseeable indirect physical change or effect on the environment.

**SECTION 7: Publication; Effective Date**

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

\* \* \* \* \*

I **HEREBY CERTIFY** that the forgoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the \_\_\_\_ of \_\_\_\_ 2022, and passed and adopted at a regular meeting thereof, held on the \_\_\_\_ day of 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

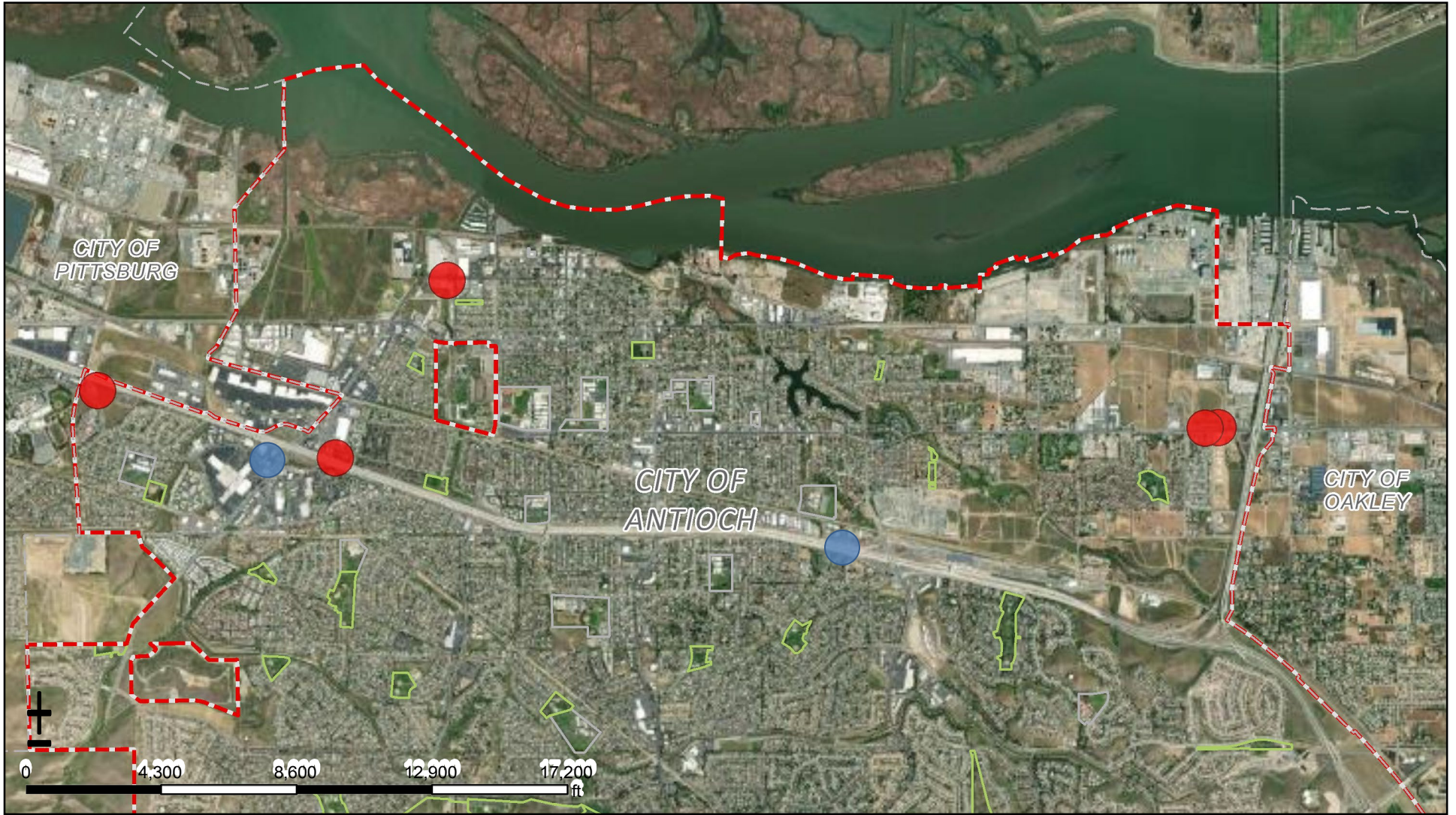
\_\_\_\_\_  
**Lamar Thorpe, Mayor of the City of Antioch**

**ATTEST:**

\_\_\_\_\_  
**Elizabeth Householder**  
**City Clerk of the City of Antioch**

**ATTACHMENT B  
MAP OF EXISTING BILLBOARDS  
(SEPARATE PAGE)**

# Existing and Proposed Billboards



- Existing Billboards
- Proposed Billboards