

ORDINANCE NO. 2019-2

AN ORDINANCE AMENDING SECTIONS 17.52.515 AND 17.52.550 OF THE ZONING ORDINANCE OF THE COUNTY OF ALAMEDA PERTAINING TO SCENIC CORRIDORS AND THE ALLOWANCE OF BILLBOARDS AND ADVERTISING SIGNS

The Board of Supervisors of the County of Alameda does ordain as follows:

Section I

The Board of Supervisors makes the following findings of fact in support of this ordinance:

1. The County zoning ordinance is administered to guide the orderly development of land use within its jurisdiction.
2. Protecting scenic resources of the County is paramount to the orderly and efficient function of land use regulations in the County.
3. Creating certainty as to the possible locations of new billboards is needed in order to effectively implement the billboard relocation program pursuant to §17.52.515
4. Amending the County Zoning Ordinance to create internal consistency is needed in this case to implement a billboard relocation program.
5. The Alameda County Planning Commission did review this draft Ordinance in accordance with the provisions of the California Environmental Quality Act (CEQA), and considered an exemption under Section 15303 of the CEQA Guidelines.
6. The Alameda County Planning Commission recommended the proposed changes to the Board of Supervisors.
7. This Board did hold a public hearing on the proposed amendments to the Alameda County Zoning Ordinance at the hour of 1:00 PM on the 15th day of January 2019, in the Board Chambers, County Administration Building, 1221 Oak Street, Oakland, for which notice was given as required by law and at which the Board took public testimony.

Section II

Section 17.52.515, subsections A and B(1) of the Alameda County General Ordinance Code is hereby amended to read as follows:

17.52.515 - Billboards and advertising signs.

A. General Provision. Notwithstanding any other provision in Title 17, no person shall install, move, alter, expand, modify, replace or otherwise maintain or operate any billboard or advertising sign in the unincorporated area of Alameda County, except:

1. Those billboards or advertising signs which legally exist as of the time this section is first adopted;
2. Those billboards or advertising signs for which a valid permit has been issued and has not expired;
3. Pursuant to an agreement relocating presently existing, legal billboards or advertising signs pursuant to Business and Professions Code Section 5412; provided that every billboard or advertising sign relocated pursuant to a relocation agreement shall fully comply with the site development review process and criteria in Sections 17.54.220 and 17.54.226, further provided such signs are located:
 - a. On a parcel that does not contain residential or agricultural uses,
 - b. On or adjacent to a parcel with interstate or primary highway frontage,
 - c. Within six hundred sixty (660) feet of the edge of the right-of-way of an interstate or primary highway, and,

- d. In a manner consistent with adopted Scenic Corridor (SC) overlay zones, as required by section 17.30.190.
- or,
- 4. As required under federal or state law.

For purposes of this section, "billboard" shall mean a permanent structure or sign used for the display of offsite commercial messages and shall include and be synonymous with "advertising sign" as that term is defined in Section 17.04.010.

B. Purpose. The purpose and intent of this section is:

- 1. To protect and advance the county's interests in community aesthetics by the control of visual clutter, protection of scenic corridors, pedestrian and driver safety, and the protection of property values;

The remaining subsections of Section 17.52.515 of the Alameda County General Ordinance Code shall remain unchanged.

Section III

Section 17.52.550 of the Alameda County General Ordinance Code is hereby deleted in its entirety.

Section IV

This ordinance shall take effect and be in force thirty (30) days from and after the date of passage and before the expiration of fifteen (15) days after its passage an ordinance summary, pursuant to Government Code section 25124(b)(1), shall be published in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, this 15th day of January, 2019 by the following vote:

AYES: Supervisors Carson, Chan, Haggerty, Miley, & President Valle - 5

NOES: None

EXCUSED: None

ATTEST: Anika Campbell-Belton

Clerk of the Board of Supervisors, Alameda County

Approved as to Form

Donna R. Ziegler, County Counsel

By: Heather Littlejohn