

Garden Grove Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 9 LAND USE](#)[Chapter 9.20 SIGN STANDARDS](#)**9.20.110 Billboards**

- A. Prohibition. Except for relocations of existing billboards and conversion of existing billboards to electronic billboards pursuant to this section, no new billboards shall be constructed within city limits.
- B. Relocations of Existing Billboards. An owner of an existing billboard located within the city may apply for a billboard relocation subject to the following procedure and criteria:
1. Process. An applicant for a billboard relocation shall file an application for a Site Plan approval with the City. The Planning Commission shall be empowered to approve, deny, or conditionally approve the Site Plan application. The Planning Commission shall apply the criteria as set forth in this subpart in making its determination.
 - a. The Planning Commission shall hold a public hearing on the matter and provide notice to property owners of the public hearing located within 300 feet of the relocation site.
 2. Criteria. The Planning Commission shall apply the following criteria in making its determination on the Site Plan:
 - a. The structure shall be constructed on two or less steel supports;
 - b. The relocation site shall be at least 300 feet from any other existing billboard structure, and shall also comply with the distance requirements set forth in subsection D.3.e, if applicable;
 - c. Except as otherwise provided in subsection D, the height of the sign face shall not exceed 50 feet and the display area should not be less than eight feet from the ground;
 - d. The structure shall incorporate aesthetically pleasing architectural elements to the extent feasible so as to promote compatibility with surrounding properties;
 - e. The applicant shall present proof of compliance with any applicable State or Federal law requirements relating to billboard signing and freeway location;
 - f. The structure shall not result in an adverse aesthetic or illumination nuisance upon any surrounding residential neighborhood.
 3. Findings. The Planning Commission shall make a finding in approving such a request that the construction of the structure will not have an adverse effect on the public health, welfare, and safety of the community.
- C. Publicly Caused Billboard Relocations. Any proposal to relocate an existing billboard structure which relocation is caused by a City and/or redevelopment agency project shall be subject to the following Site Plan review process:
1. The City Council shall have sole jurisdiction in considering whether such an application should be approved.
 2. The City Council shall hold a Site Plan review hearing and utilize the same criteria to be used by the Planning Commission, except that the City Council reserves the right to make exceptions to any of the criteria set forth in subpart B.2(a)—(d).
 3. The City Council shall make the finding that the construction of the structure will not adversely affect the public health, welfare and safety of the community.
- D. Electronic Billboards Within the Garden Grove (22) Freeway Corridor.

1. For purposes of this subsection D, the following terms shall have the following meanings:
 - a. "Billboard" has the same meaning as defined in subsection 9.20.020.C.
 - b. "Electronic billboard" means an internally or externally illuminated billboard that utilizes digital message technology capable of instantaneously changing the static message or copy on the sign electronically.
 - c. "Garden Grove (22) Freeway Corridor" means the area within the City comprised of the land within 300 feet of either edge of the California State Route 22 Freeway right-of-way.
2. Notwithstanding any other provision of this code, subject to the discretionary approval of a Site Plan application pursuant to subsections B or C, above, entry into a relocation agreement with the City in accordance with Business and Professions Code Section 5412, and compliance with the additional requirements set forth below, the owner of an existing billboard within the City may convert and/or relocate and convert such billboard to an electronic billboard, provided such relocated and/or converted billboard is located within the Garden Grove (22) Freeway Corridor. Conversion of an existing billboard to an electronic billboard shall be deemed to be a relocation of an existing billboard that is subject to approval of a Site Plan application pursuant to subsection B. Such relocated and/or converted electronic billboards shall be deemed legal nonconforming uses and structures.
3. In addition to such conditions as may be imposed pursuant to approval of a Site Plan application for a billboard relocation pursuant to subsections B and/or C, above, electronic billboards shall be subject to the following criteria and conditions:
 - a. An electronic billboard may only be located within the Garden Grove (22) Freeway Corridor.
 - b. Electronic billboards shall comply with all applicable location, distance, size, operational, permit or licensing, and/or other requirements or limits imposed by Federal or State law, including, without limitation, the California Outdoor Advertising Act, California Business and Professions Code Section 5200 et seq., and its implementing regulations, including applicable amendments thereto. To the extent a conflict arises between any provisions of this section and applicable Federal or State law, State or Federal law shall control.
 - c. Each sign face of an electronic billboard shall be oriented primarily for viewing from the Garden Grove (22) Freeway and shall be oriented away from any residentially zoned property.
 - d. No electronic billboard shall be located on or within 350 feet of any residentially zoned property, as measured from the structural support column of the electronic billboard to the property line.
- e. No electronic billboard shall be located within 500 feet of any other billboard located on the same side of the freeway or within 1,000 feet of any other electronic billboard or on-premises electronic sign located on the same side of the freeway.
 - f. The permitted height of an electronic billboard shall be determined through the Site Plan review process and shall be limited to the maximum height necessary to ensure adequate visibility of the display from the Garden Grove (22) Freeway. Requested height of an electronic billboard shall be justified through a balloon or flag test, or other similar test, conducted at the applicant's cost. Unless special circumstances necessitate a taller sign, as demonstrated through a balloon or flag test, or other similar test, no electronic billboard shall exceed 60 feet in height, as measured from finished grade to the top of the billboard structure.
 - g. The area of each electronic billboard sign face, including framing and trim, shall not exceed 680 square feet.
 - h. Electronic billboard displays shall contain still or static messages or images only, and no

part of the sign structure or image being displayed may move or present the appearance or optical illusion of movement, or include flashing, blinking, or traveling lighting, the varying of light intensity, or any other means not providing constant illumination. Each static message or image shall be displayed for a minimum of eight consecutive seconds before changing, and the transition or blank screen time between one display message and the next shall not exceed one second.

i. The maximum intensity of light output produced by an electronic billboard display shall be established in relation to the immediate ambient lighting, and each electronic billboard shall incorporate an automatic light sensing device that will adjust the brightness or intensity of light output as ambient light conditions change. The maximum measurable light output of an electronic billboard shall not exceed 0.3 foot-candles above the ambient light level at any time, as measured using a foot-candle meter at a pre-set distance perpendicular to the display face of the electronic billboard. The pre-set distance for measurement of intensity of light output with a foot-candle meter shall vary depending on the size of the sign face, as follows:

Nominal Sign Face Size	Distance To Be Measured From
12' x 25'	150'
10'-6" x 36'	200'
14'x 48' or Greater	250'

j. Electronic billboard owners and/or operators shall make space available for the display of emergency messaging in accordance with local, regional, and/or State protocols.

k. As a condition to approval of the relocation and/or conversion of a billboard to an electronic billboard, the owner of the electronic billboard shall execute a relocation agreement with the City pursuant to California Business and Professions Code Section 5412 on terms approved by the City Council in its sole and absolute discretion. At a minimum, such a relocation agreement shall: (i) require the permanent removal of a minimum of two existing billboard faces within the city for each new electronic billboard face erected or installed, (ii) provide for mitigation by the owner of aesthetic and/or other impacts caused by the electronic billboard(s), (iii) require the owner to comply with any and all required mitigation measures, conditions of approval, and applicable provisions of this section and this code, (iv) provide for the payment by the owner of applicable fees and costs, (v) require each owner to indemnify, defend and hold harmless the City from any and all claims, lawsuits, awards and judgments, including any reasonable attorney's fees and court costs, that may arise from the approval of the relocation and/or conversion of a billboard to an electronic

billboard and/or the removal of other existing billboards, pursuant to this section or any other provision of the code, subject to the terms of the agreement, and (vi) require the owner(s)/operator(s) of the electronic billboard to donate up to 10% of the total advertising time on the electronic billboard to community events, as requested by the City Manager. Nothing herein shall be construed to require the City to enter into such an agreement or to allow the relocation of an existing billboard or the conversion of an existing billboard to an electronic billboard.

l. The owner of an electronic billboard authorized pursuant to this section may, at its sole option, remove the digital display unit(s) from the billboard structure at any time, for any reason, and temporarily or permanently replace such digital display unit(s) with state-of-the-art non-electronic static sign faces of the same or smaller dimensions. (2847 § 4, 2014; 2758 § 2, 2009)

View the [mobile version](#).