



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
September 21, 2011**

TO: Mayor and City Council
FROM: Mercy G. Cabral, Deputy City Clerk
SUBJECT: Adopting Ordinance No. 1364 C.S. regarding Billboards
DATE: September 12, 2011

RECOMMENDATION:

Adopt Ordinance No. 1364 C.S. amending Chapter 16.68.080 (nonconforming signs; off-site signs) and Section 22.18.060 (industrial districts; conditional uses) of the Martinez Municipal Code relating to relocation agreements for nonconforming off-site signs "billboards."

BACKGROUND:

At the City Council meeting of September 7, the above ordinance was introduced and a public hearing was held in accordance with California Government Code. The ordinance is now before you for adoption and will become effective after 30 days.

FISCAL IMPACT:

No fiscal impact.

ACTION:

Motion to adopt Ordinance No. 1364 C.S. amending Chapter 16.68.080 (nonconforming signs; off-site signs) and Section 22.18.060 (industrial districts; conditional uses) of the Martinez Municipal Code.

APPROVED BY:

A handwritten signature in cursive script, appearing to read "Phil Vucic".

City Manager

ORDINANCE NO. 1364 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARTINEZ
AMENDING CHAPTER 16.68.080 (NONCONFORMING SIGNS; OFF-SITE SIGNS)
AND SECTION 22.18.060 (I-INDUSTRIAL DISTRICTS; CONDITIONAL USES)
OF THE MARTINEZ MUNICIPAL CODE RELATING TO RELOCATION AGREEMENTS
FOR NONCONFORMING OFF-SITE SIGNS ("BILLBOARDS")

THE CITY COUNCIL OF THE CITY OF MARTINEZ DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 16.68.080.C of the Martinez Municipal Code is hereby added to read as follows:

- C. Off-site signs existing pursuant to the provisions of (B) above on or after the removal date set forth in subsection (A) above, may be approved by the City to be relocated in accordance with the provisions of this subsection. An application to relocate an existing sign may only be approved if all of the following criteria are met:
1. Signs may only be relocated to be within the Heavy Industrial (HI) district;
 2. There must be a minimum distance of two (2) miles between electronic non-accessory signs and 1,000 feet between non-electronic, non-accessory signs;
 3. The relocated sign may not significantly impact any biological resources;
 4. The applicant for a relocated sign must provide a geotechnical study and incorporate the recommended measures; and
 5. All relocated signs shall be subject to a relocation agreement.

SECTION 2. Section 22.18.060 of the Martinez Municipal Code is hereby amended to read as follows:

- C. Outdoor advertising structures; in accordance with Section 16.68.080.C.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

SECTION 4. Effective date. This ordinance shall become effective 30 days after the date of adoption.

SECTION 5. Posting. At least five (5) days prior to its final adoption, a certified copy of the full text of this ordinance shall be posted in the office of the City Clerk.

Within 15 days after adoption the City Clerk shall publish a summary of this ordinance with the names of those City Council members voting for and against the ordinance in a newspaper of general circulation published and circulated in the City of Martinez.

The City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted ordinance.

APPROVED: _____
Rob Schroder, Mayor

ATTEST: _____
Deputy City Clerk

* * * * *

I HEREBY CERTIFY that the foregoing ordinance was duly and regularly introduced at a Regular Meeting of the City Council of the City of Martinez, held on the 7th day of September, 2011, and duly passed and adopted at a Regular Meeting of said City Council held on the 21st day of September, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ