

**ORDINANCE NO. 679
(AS AMENDED THROUGH 679.4)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE 679 REGULATING DIRECTIONAL SIGNS
FOR SUBDIVISIONS IN CERTAIN AREAS**

The Board of Supervisors of the County of Riverside, State of California, Ordains as Follows:

Section 1. FINDINGS. This Board finds that there is an unsightly and confusing proliferation of directional signs, both permitted and prohibited by County ordinance, relating to new residential development projects, including new rental projects (hereinafter referred to as "subdivisions"), and other businesses. Subdivisions by their very nature are most frequently located in areas where streets and highways are newly constructed. Such thoroughfares are seldom shown on maps available to persons seeking to purchase new homes, and, consequently, subdivisions are difficult for such persons to locate. Developers of subdivisions use signs, both permitted and prohibited, to aid such persons in locating their subdivisions. The result has been a proliferation of signs which is (1) unsightly and damaging to the appearance of areas such as that which is the subject of this ordinance; (2) confusing to individuals; and (3) unsafe in that drivers of motor vehicles, while searching for subdivisions or signs giving direction thereto, are distracted from the operation of their vehicles.

Directional signs are needed by subdividers to a greater degree than other businesses because subdivision sales are ordinarily conducted for a relatively limited period of time for any particular location, that is, only until all units in the subdivision are sold. Thus, listings in such conventional media as telephone yellow pages are impractical. While other media such as broadcast media and newspapers are available, and maps could be disseminated in some of such media, the most efficient method of directing prospective purchasers to subdivisions is the use of directional signs posted at intersections and other critical locations. Businesses with more permanent sales locations do not share these problems and thus have less need of directional signs.

Section 2. PURPOSE. The purpose of this ordinance is to provide a uniform coordinated method of offering subdividers a means of providing directional signs to their projects, while minimizing confusion among prospective purchasers who wish to inspect subdivisions, while promoting traffic safety and reducing the visual blight of the present proliferation of signs.

Section 3. AUTHORITY. This ordinance is adopted pursuant to the State Planning and Zoning Law and Business and Professions Code Section 5230 and Streets and Highways Code Section 1460.

Section 4. APPLICATION. This ordinance shall supersede the provisions of any other ordinance which conflicts with any of its provisions.

Section 5. DIRECTIONAL SIGNS PROHIBITED. Directional signs, including travel direction signs, other than those on-site, as described in Section 19.4.c of Riverside County Ordinance No. 348 are prohibited, except as provided in this ordinance. This ordinance is not intended to prohibit non-commercial speech. Anywhere a commercial message is permitted on a directional sign, a non-commercial message may also be placed on such sign.

Section 6. SUBDIVISION DIRECTIONAL SIGN STRUCTURES DEFINED. A subdivision direction sign structure is a ladder-type structure designed to accommodate one or more sign panels where directions to subdivisions may be displayed. Content of such sign panels is limited to identification of the subdivision and a directional arrow.

Section 7. DIRECTION SIGNS DEFINED. A direction sign is an offsite sign which gives motorists directions to the location of a business.

Section 8. PERMITS REQUIRED; COUNTY-OWNED PROPERTY. Subject to the requirements of this ordinance, the Director of Transportation or his designee may issue permits for subdivision direction sign structures to be located within County street rights-of-way or other County property. The Board of Supervisors may by resolution limit the issuance of permits to specified persons or entities if it finds that such action would result in better coordination of directional signage or increased efficiency of administration by the County. In order for directional signs to be placed within unincorporated communities in the Coachella Valley which have Community Councils, the proposed signage must first be coordinated with such Councils prior to the issuance of required permits.

Section 9. LOCATION OF SUBDIVISION DIRECTION SIGN STRUCTURES. Subdivision directional sign structures: (1) shall not obstruct the use of sidewalks, walkways, bike or hiking trails; (2) shall not obstruct the visibility of vehicles, pedestrians or traffic control signs; (3) shall, where feasible be combined with advance street name signs; (4) shall not be installed in the immediate vicinity of street intersections; and (5) shall be limited to not more than three between arterial intersections.

Section 10. OTHER REQUIREMENTS FOR SUBDIVISION DIRECTIONAL SIGN STRUCTURES.

- (a) Sign structures shall be ladder-type with individual sign panels of uniform design and color throughout the unincorporated territory specified in this ordinance in a manner meeting the approval of the Director of Transportation.
- (b) Sign structures shall not exceed 15 feet in height in parkway areas and 10 feet in height in medians and 9 feet in other areas.
- (c) The width of sign structures and sign panels shall not exceed 6 feet.
- (d) Sign panels shall not be illuminated.

(e) Sign structure installations shall include "break away" design features.

Section 11. SUBDIVISION DIRECTIONAL SIGN STRUCTURES; OPERATION.

Permittees shall make subdivision directional sign panels available to all persons or entities selling subdivisions (hereinafter "subdividers") on a first-come-first-served basis. No sign panels shall be granted to any subdivider for a period in excess of two years. However, a subdivider who is soliciting sales of more than two subdivisions within a single planned community or a specific plan area shall not be subject to the two-year limitation during such solicitation. Permittees shall maintain a separate waiting list for each sign structure. Alternatively, a subdivider may apply to a permittee for a sign panel program consisting of a single sign panel on each of a series of sign structures as needed to guide prospective purchasers to his subdivision. A subdivider whose time of use for a sign panel or sign space program has expired may reapply and shall be placed on the waiting list in the same manner as a new applicant.

Section 11.1. RIGHT-OF-WAY USE FEES. Any franchise or use fees paid by permittees to the County for the privilege of using County right-of-ways for kiosk placement may be utilized by the County for the enforcement of this ordinance. Such fees shall be calculated and paid pursuant to a contractual agreement between the permittee and the County specifically authorizing such payment in express relation to this ordinance.

Section 12. EXISTING SIGN PERMITS. No sign permit, use permit or other permit authorizing placement of a directional sign issued on or before the date of adoption of this ordinance by the Board of Supervisors shall be invalidated hereby but shall remain valid for the period for which it was issued. Any such permit issued after the date of adoption of this ordinance by the Board of Supervisors which would not be permitted under this ordinance shall be of no further force or effect after the effective date of this ordinance.

Section 13. ANNUAL REVIEW OF THIS ORDINANCE. The Board of Supervisors shall review this ordinance one year after its effective date and as necessary thereafter to determine if it is accomplishing its intended purpose.

Section 14. SEVERABILITY. If any provision, clause, sentence of paragraph or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of the provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared severable.

Section 15. ENFORCEMENT, LEGAL PROCEEDINGS AND PENALTIES. The Director of Building and Safety shall enforce the provisions of this ordinance.

A. Legal procedure. Any directional sign that is erected, used or maintained contrary to the provisions of this ordinance shall be and the same is hereby declared to be unlawful and a public nuisance and the Director of Transportation, Director of Building and Safety, the District Attorney or County Counsel shall immediately commence action or proceedings for the abatement, removal and enjoinder thereof, pursuant to the

California Streets and Highways Code Section 1480 through and including Section 1485 and California Penal Code Section 556 and Section 556.1, in the manner provided by law; and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such directional sign and restrain and enjoin any person from setting up, placing, erecting, using or maintaining any directional sign contrary to the provisions of this ordinance.

B. Violations and penalties. It shall be unlawful for any person to violate any provision of this ordinance. Any person violating any provision of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued, or permitted. Any person so convicted shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1000.00) or six (6) months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation.

Section 16. SIGN RETURN, DESTRUCTION, REMOVAL FEES.

Notwithstanding any penalties that may be assessed either criminally or civilly against any person who violates any provision of this ordinance, the Director of Transportation or his designee may return or destroy a directional sign and if returned, charge a fee to the owner of the directional sign for the costs of removal pursuant to Street and Highways Code Section 1480.5(d).

Section 17. EFFECTIVE DATE. This ordinance shall take effect 30 days after its adoption.

Adopted: 679 Item 3.4 of 12/12/89 (Eff: 01/11/90)

Amended: 679.1 Item 3.11 of 02/05/91 (Eff: 03/07/91)

679.2 Item 3.36 of 07/09/91 (Eff: 08/08/91)

679.3 Item 3.2 of 02/01/94 (Eff: 03/02/94)

679.4 Item 12.1 of 02/23/99 (Eff: 03/25/99)