

**CITY OF HUNTINGTON BEACH  
LEGAL NOTICE**

**ORDINANCE NO. 4047  
Adopted by the City Council on APRIL 06, 2015**

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ADOPTING ZONING TEXT AMENDMENT NO. 15-001 AND AMENDING CHAPTER 233 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE RELATED TO SIGNS”

**SYNOPSIS:**

The intent of the Zoning Text Amendment is to ensure the consistent application of regulations for all types of non-commercial signs on private property and within public rights-of-way. As such, specific references to political signs are to be deleted. In addition, a new classification of non-commercial signs, which would include political signs, will conform to recent cases in the State and federal courts that focus on content neutrality and time restrictions for the posting of signs on private property.

Non-commercial signs include sign messages that may be political, religious, social or philosophical in nature as well as any other non-commercial sign content. Non-commercial signs do not include signs that promote the sale, lease or exchange of goods, services or property; signs that identify or attract attention to any place that sells, leases or exchanges goods, services or property; and signs that identify or attract attention to any club, nonprofit facility, government office or similar place where a person, group or organization engages in activities involving interaction with the general public. Non-commercial signs also do not include directional or construction signs as those signs are separately defined in the sign code.

The standards related to the posting of non-commercial signs within public rights-of-way are limited to duration only and are not proposed to further restrict these signs beyond what the current sign code allows for political signs. There are no restrictions relative to maximum sign area, height, or number of signs. The ordinance would not permit any signs to be affixed to any tree, plant, or shrub by any other foreign object (including wire, nail, rope, etc.) within the public rights-of-way consistent with Section 13.50.180 of the Huntington Beach Municipal Code. The definition of non-commercial signs would allow any type of non-commercial sign within the public right-of-way during the time period permitted by the proposed zoning text amendment (50 days before an election day and 10 days following an election day). The existing language also includes reference that such signs may be removed by anyone beginning the Friday after an Election Day.

For non-commercial signs posted on private property, ZTA No. 15-001 added criteria to address maximum total sign area, maximum height, and sign location. These provisions are recommended in part by the National Sign Code and are also based on current HBZSO provisions for allowing other types of structures on private property within the front yard setback. There is no limitation on the duration of posting and the total combined sign area for all non-commercial signage on a parcel is eight (8) square feet. As an example, non-commercial signs could be installed year-round, and there could be four non-commercial signs at two square feet each or two non-commercial signs at four square feet each per property. There is no limit on the number of signs as long as the total combined area of the non-commercial signage does not exceed eight (8) square feet for each property. The height of such signage would be limited to 42 inches in front setback areas and a maximum of six feet in all other areas on the property. Non-commercial signs only in Commercial and Industrial zones would be allowed in landscaped areas only and not on driveways or parking areas. Language was also added to reference Section 230.88 of the HBZSO to ensure that these signs are not located within visibility clearance areas at driveways and street intersections.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held April 6, 2015 by the following roll call vote:

**AYES:** Posey, O’Connell, Katapodis, Hardy, Sullivan, Delgleize, Peterson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**THE FULL TEXT OF THE ORDINANCE IS AVAILABLE IN THE CITY CLERK'S OFFICE.**

**This ordinance is effective 30 days after adoption.**

**CITY OF HUNTINGTON BEACH  
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HUNTINGTON BEACH, CA 92648  
714-536-5227  
JOAN L. FLYNN, CITY CLERK**