

25. Ordinance Amendment No. 2023-04 amending Article II.II of Chapter 2 (Sunshine Ordinance) of the Santa Ana Municipal Code (SAMC) Addressing Applicability of Ordinance to Specific Development Amendments (Second Reading); Ordinance Amendment No. 2023-05 to Update Chapter 14 (Fire Protection and Prevention and Emergency Services) of the SAMC Addressing Eligibility for Permits for the Sale of Safe and Sane Fireworks (Second Reading); and Zoning Ordinance Amendment No. 2023-04 to Update Chapter 41 (Zoning) of the SAMC Addressing Billboards and General Restrictions (Second Reading)

Legal notice published in the OC Reporter on January 19, 2024.

**Department(s):**

**Recommended Action:** 1. Find and determine that the adoption of these ordinances is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, as amended from time to time.

2. Conduct a second reading and adopt an ordinance approving Ordinance Amendment No. 2023-04 amending Article II.II of Chapter 2 (Sunshine Ordinance) of the SAMC addressing applicability of the ordinance to specific development amendments.

ORDINANCE NO. NS-3057 entitled ORDINANCE AMENDMENT NO. 2023-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTER 2 (ADMINISTRATION) OF THE SANTA ANA MUNICIPAL CODE RELATING TO PUBLIC INPUT THROUGH COMMUNITY MEETINGS

3. Conduct a second reading and adopt an ordinance approving Ordinance Amendment No. 2023-05 amending Chapter 14 (Fire Protection and Prevention and Emergency Services) addressing eligibility for permits for the sale of safe and sane fireworks.

ORDINANCE NO. NS-3058 entitled ORDINANCE AMENDMENT NO. 2023-05 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING PORTIONS OF CHAPTER 14 (FIRE PROTECTION AND PREVENTION AND EMERGENCY SERVICES) OF THE SANTA ANA MUNICIPAL CODE RELATING TO SAFE AND SANE FIREWORKS

4. Conduct second reading and adopt an ordinance approving Zoning Ordinance Amendment No. 2023-04 amending Chapter 41 (Zoning) of the SAMC addressing billboards and general restrictions.

ORDINANCE NO. NS-3059 entitled ZONING ORDINANCE AMENDMENT NO. 2023-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING PORTIONS OF CHAPTER 41 (ZONING) OF THE SANTA ANA MUNICIPAL CODE RELATING TO GENERAL RESTRICTIONS AND BILLBOARDS



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**February 20, 2024**

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**TOPIC:** Sunshine Ordinance Update, Safe and Sane Fireworks Ordinance Update, and Zoning Ordinance Update – Second Reading

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**AGENDA TITLE**

Ordinance Amendment No. 2023-04 amending Article II.II of Chapter 2 (Sunshine Ordinance) of the Santa Ana Municipal Code (SAMC) Addressing Applicability of Ordinance to Specific Development Amendments (Second Reading); Ordinance Amendment No. 2023-05 to Update Chapter 14 (Fire Protection and Prevention and Emergency Services) of the SAMC Addressing Eligibility for Permits for the Sale of Safe and Sane Fireworks (Second Reading); and Zoning Ordinance Amendment No. 2023-04 to Update Chapter 41 (Zoning) of the SAMC Addressing Billboards and General Restrictions (Second Reading)

**RECOMMENDED ACTIONS**

1. Find and determine that the adoption of these ordinances is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, as amended from time to time.
2. Conduct a second reading and adopt an ordinance approving Ordinance Amendment No. 2023-04 amending Article II.II of Chapter 2 (Sunshine Ordinance) of the SAMC addressing applicability of the ordinance to specific development amendments.

ORDINANCE NO. NS-3057 entitled ORDINANCE AMENDMENT NO. 2023-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTER 2 (ADMINISTRATION) OF THE SANTA ANA MUNICIPAL CODE RELATING TO PUBLIC INPUT THROUGH COMMUNITY MEETINGS

3. Conduct a second reading and adopt an ordinance approving Ordinance Amendment No. 2023-05 amending Chapter 14 (Fire Protection and Prevention and Emergency Services) addressing eligibility for permits for the sale of safe and sane fireworks.

ORDINANCE NO. NS-3058 entitled ORDINANCE AMENDMENT NO. 2023-05 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING PORTIONS OF CHAPTER 14 (FIRE PROTECTION AND PREVENTION AND EMERGENCY SERVICES) OF THE SANTA ANA MUNICIPAL CODE RELATING TO SAFE AND SANE FIREWORKS

4. Conduct second reading and adopt an ordinance approving Zoning Ordinance Amendment No. 2023-04 amending Chapter 41 (Zoning) of the SAMC addressing billboards and general restrictions.

ORDINANCE NO. NS-3059 entitled ZONING ORDINANCE AMENDMENT NO. 2023-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING PORTIONS OF CHAPTER 41 (ZONING) OF THE SANTA ANA MUNICIPAL CODE RELATING TO GENERAL RESTRICTIONS AND BILLBOARDS

**GOVERNMENT CODE §84308 APPLIES** Yes

### **DISCUSSION**

At its January 16, 2024 regular meeting, the City Council held a public hearing and considered the staff report, recommendations by staff, and public testimony concerning three ordinances. The three ordinances include:

1. Ordinance Amendment No. 2023-04 (OA No. 2023-04),
2. Ordinance Amendment No. 2023-05 (OA No. 2023-05), and
3. Zoning Ordinance Amendment No. 2023-04 (ZOA No. 2023-04)

The City Council approved the first reading of OA No. 2023-04 and OA No. 2023-05 as presented by staff. However, the City Council struck several sections of ZOA No. 2023-04 including Section 4, pertaining to the administrative approval of the renewal of wireless communication facility Conditional Development Permits, and Sections 7 through 20, pertaining to hotels/motels and full service hotels.

The City Council passed the motion, as amended, by a vote of 7-0.

OA No. 2023-04 amends Article II.II of Chapter 2 (Sunshine Ordinance) by making the ordinance applicable to specific development amendments.

OA No. 2023-05 amends Chapter 14 (Fire Protection and Prevent and Emergency Services), which limits permits for the sale of safe and sane fireworks to schools with affiliated organizations and nonprofit organizations located within city limits. In addition, the amendments would require that nonprofit organizations be limited to those primarily

benefitting the Santa Ana community and having 75% of members residing within city limits.

As amended by the City Council, ZOA No. 2023-04 amends Chapter 41 (Zoning) by specifying that the minimum separation between billboards is applicable to those on the same side of the freeway; and cleaning up the General Restrictions section of the Zoning Code.

### **ENVIRONMENTAL IMPACT**

The City Council finds and determines that these actions are not subject to the California Environmental Quality Act (CEQA). Pursuant to CEQA and the CEQA Guidelines, the adoption of these Ordinances is exempt from CEQA review pursuant to sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because they will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility they will have a significant effect on the environment and it is not a "project," as defined in Section 15378 of the CEQA Guidelines. As a result, Environmental Review Nos. 2023-115, 2023-125, and 2023-126 will be filed upon adoption of these ordinances and resolution.

### **FISCAL IMPACT**

There is no direct fiscal impact associated with this action.

### **EXHIBITS**

1. Ordinance for OA No. 2023-04 (Sunshine Ordinance)
2. Ordinance for OA No. 2023-05 (Fire Protection and Prevention and Emergency Services)
3. Ordinance for ZOA No. 2023-04 (Zoning)

Submitted By: Minh Thai, Executive Director of Planning and Building Agency

Approved By: Tom Hatch, Interim City Manager

ORDINANCE NO. NS-XXX

ORDINANCE AMENDMENT NO. 2023-04 – AN  
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SANTA ANA AMENDING CHAPTER 2 (ADMINISTRATION)  
OF THE SANTA ANA MUNICIPAL CODE RELATING TO  
PUBLIC INPUT THROUGH COMMUNITY MEETINGS

THE CITY COUNCIL OF THE CITY OF SANTA ANA HEREBY ORDAINS AS  
FOLLOWS:

**Section 1.** The City Council of the City of Santa Ana hereby finds, determines  
and declares as follows:

- A. On October 15, 2012, the City Council enacted the Sunshine Ordinance as found in Chapter 2 (Administration) of the Santa Ana Municipal Code (SAMC) to ensure that the people of Santa Ana remain in control of the government they have created.
- B. Periodically, the City Council has adopted amendments to the Sunshine Ordinance to expand the number of required meetings, increase the notification radius, establish meeting format and presentation requirements, and make clarifying edits to application processing timelines.
- C. In 2023, City of Santa Ana (“City”) staff reviewed the Sunshine Ordinance and identified the need to clarify applicability to add specific development amendments.
- D. Ordinance Amendment No. 2023-04 amends Chapter 2 (Administration), Section 2-153 (Public input through community meetings prior to discretionary approval) by adding specific development amendments to the list of development projects types to which the Sunshine Ordinance applies.
- E. The proposed amendment is consistent with the General Plan of the City. Modification to the section regarding public input through community meetings prior to discretionary approval is consistent with General Plan Land Use (LU) Element Goal LU-3 (Compatibility of Uses), Policy LU-3.2 (Empower Community), which seeks to “facilitate community engagement and dialogue in policy decisions and outcomes affecting land use and development.” By clarifying applicability to include specific development amendments, the City enables public input opportunities during the discretionary approval process.
- F. On January 16, 2024, the City Council held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning Ordinance Amendment No. 2023-04.

**Section 2.** The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (CEQA). Pursuant to CEQA and

Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, the adoption of this Ordinance is exempt from CEQA review because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a "project", as defined in Section 15378 of the CEQA Guidelines. As a result, a Notice of Exemption, Environmental Review No. 2023-125, will be filed upon adoption of this ordinance.

**Section 3.** Section 2-153 (Public input through community meetings prior to discretionary approval) of Chapter 2 of the SAMC is hereby amended to read as follows:

Sec. 2-153. – Public input through community meetings prior to discretionary approval.

(a) *Applicability.* The requirements of this article apply to development projects requiring discretionary approval and that meet one (1) or more of the following criteria:

- (1) City-sponsored development projects.
- (2) New residential projects containing twenty-five (25) or more units, except that the director of the Planning and Building Agency may exempt a developer from one (1) or more of the requirements of this article if, in the case of affordable housing, the developer can show that it will be in jeopardy of losing tax credits, or if an applicable project does not require a resubmittal following initial submittal.
- (3) New non-residential projects (including additions to existing buildings) of ten thousand (10,000) square feet or more and which are, in the determination of the city, subject to a negative declaration, mitigated negative declaration or environmental impact report as defined under the California Environmental Quality Act.
- (4) Development projects requiring a zone change, specific plan amendment, specific development amendment, or general plan amendment.

**Section 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**Section 5.** This ordinance shall become effective thirty (30) days after its adoption.

**Section 6.** The Clerk of the Council shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Valeria Amezcua  
Mayor

APPROVED AS TO FORM  
Sonia R. Carvalho, City Attorney

By: Jose Montoya  
Jose Montoya  
Assistant City Attorney

AYES: Councilmembers: \_\_\_\_\_

NOES: Councilmembers: \_\_\_\_\_

ABSTAIN: Councilmembers: \_\_\_\_\_

NOT PRESENT: Councilmembers: \_\_\_\_\_

## CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, \_\_\_\_\_, City Clerk, do hereby attest to and certify that the attached Ordinance No. NS-\_\_\_\_\_ to be the original ordinance adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
City of Santa Ana



ORDINANCE NO. NS-XXX

ORDINANCE AMENDMENT NO. 2023-05 – AN  
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SANTA ANA AMENDING PORTIONS OF CHAPTER 14  
(FIRE PROTECTION AND PREVENTION AND  
EMERGENCY SERVICES) OF THE SANTA ANA  
MUNICIPAL CODE RELATING TO SAFE AND SANE  
FIREWORKS

THE CITY COUNCIL OF THE CITY OF SANTA ANA HEREBY ORDAINS AS  
FOLLOWS:

**Section 1.** The City Council of the City of Santa Ana hereby finds, determines  
and declares as follows:

- A. On an ongoing basis, City of Santa Ana (City) staff review and analyze various chapters of the Santa Ana Municipal Code (SAMC). In an effort to protect public health, safety, and welfare, the Building Safety Division is proposing revisions to the Municipal Code.
- B. Ordinance Amendment No. 2023-05 amends Chapter 14 (Fire Protection and Prevention and Emergency Services), and Section 14-56 (Permits, issuance) addressing issuance of permits for safe and sane fireworks.
- C. The amendments will enable the City to implement a regulatory framework and clarify eligibility criteria to be issued a permit for the sale of safe and sane fireworks.
- D. The amendments are consistent with the General Plan of the City. Modification to the permits section pertaining to fireworks is consistent with General Plan Public Services (PS) Element Goal PS-2 (Public Safety), which seeks to “preserve a safe and secure environment for all people and property.” By limiting issuance of permits for the sale of safe and sane fireworks, the City may minimize risk.
- E. On January 16, 2024, the City Council held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning Ordinance Amendment No. 2023-05.

**Section 2.** The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (CEQA). Pursuant to CEQA and Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, the adoption of this Ordinance is exempt from CEQA review because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a "project", as defined in Section 15378 of the CEQA Guidelines. As a result, a Notice of Exemption, Environmental Review No. 2023-126, will be filed upon adoption of this ordinance.

**Section 3.** Section 14-56. Permits, issuance of Chapter 14 of the SAMC is hereby amended to read as follows:

Sec. 14-56. Permits, issuance.

- (a) Permits for the sale of safe and sane fireworks shall be issued only to: (i) organizations officially affiliated with and officially recognized by an elementary school, middle school, high school, community college, and/or school district which is located within the boundaries of the City; or (ii) bona fide nonprofit organizations as recognized by the State of California organized for charitable, fraternal, patriotic service or religious purposes located within the City limits and primarily benefiting the Santa Ana community, with their principal and permanent meeting place within the City of Santa Ana, and at least seventy-five (75) per cent of the members or youth members for sports related organizations residing within the city limits. Each such organization shall have been organized and established within the City's corporate limits for minimum of one (1) year continuously preceding the filing of the permit application.
- (b) Permits for the sale of safe and sane fireworks shall limit each sponsoring organization to a single location in any given year. If more than one permit application is submitted, the City may disregard one, or all, of the permit applications at its sole discretion.
- (c) Such permits shall expire on July 4th at 8:00 p.m. of the year of issuance.

**Section 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**Section 5.** This ordinance shall become effective thirty (30) days after its adoption.

**Section 6.** The Clerk of the Council shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

[Signatures on the following page]

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Valeria Amezcua  
Mayor

APPROVED AS TO FORM  
Sonia R. Carvalho, City Attorney

By: Jose Montoya  
Jose Montoya  
Assistant City Attorney

AYES: Councilmembers: \_\_\_\_\_

NOES: Councilmembers: \_\_\_\_\_

ABSTAIN: Councilmembers: \_\_\_\_\_

NOT PRESENT: Councilmembers: \_\_\_\_\_

## CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, \_\_\_\_\_, City Clerk, do hereby attest to and certify that the attached Ordinance No. NS-\_\_\_\_\_ to be the original ordinance adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
City of Santa Ana

ORDINANCE NO. NS-XXX

ZONING ORDINANCE AMENDMENT NO. 2023-04 – AN  
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SANTA ANA AMENDING PORTIONS OF CHAPTER 41  
(ZONING) OF THE SANTA ANA MUNICIPAL CODE  
RELATING TO GENERAL RESTRICTIONS AND  
BILLBOARDS

THE CITY COUNCIL OF THE CITY OF SANTA ANA HEREBY ORDAINS AS  
FOLLOWS:

**Section 1.** The City Council of the City of Santa Ana hereby finds, determines  
and declares as follows:

- A. On an ongoing basis, City of Santa Ana (City) staff review and analyze Chapter 41 (Zoning) of the Santa Ana Municipal Code (SAMC). In an effort to establish high-quality development standards, create a user-friendly zoning code for residents and the business community, and to implement various policies and actions set forth in the General Plan, the Planning Division is proposing revisions to various sections of the Zoning Code.
- B. After a thorough analysis of the current code requirements in the City, staff identified a number of code amendments and additions that are necessary to ensure clear, uniform, and legally consistent regulations. The proposed changes and additions will enable the City to implement a regulatory framework that both protects the health, safety, and welfare of the City and limits undue strain on home owners, business operators and developers.
- C. Zoning Ordinance Amendment No. 2023-04 amends and adds various sections of Chapter 41; including Section 41-190 (General restrictions), Section 41-1130 (Permitted locations), and Table 41-1131 (Digital Billboard Development Standards) of Section 41-1131 (Development standards).
- D. The proposed amendments are consistent with the General Plan of the City. Specifically, the proposed amendments are consistent with the following goals and policies:
  - a. Modification to the General Restrictions section is consistent with General Plan Land Use (LU) Element Goal LU-1 (Growing Responsibly), Policy LU-1.1 (Compatible Uses), which seeks to foster compatibility between land uses. The change to General Restrictions clarifies incompatible uses that are not permitted.
  - b. Modifications to sections pertaining to billboards are consistent with General Plan Urban Design (UD) Element Goal UD-2 (Sustainable Environment), Policy UD-2.9 (Visual Aesthetic of Built Environment), which

intends to ensure that signs are situated to minimize detrimental impacts. The change to the billboard standards will result in billboard construction that minimizes visual impacts.

- E. On December 11, 2023, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning Zoning Ordinance Amendment No. 2023-04.
- F. On January 16, 2024, the City Council held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning Zoning Ordinance Amendment No. 2023-04.

**Section 2.** The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (CEQA). Pursuant to CEQA and Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, the adoption of this Ordinance is exempt from CEQA review because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a "project", as defined in Section 15378 of the CEQA Guidelines. As a result, a Notice of Exemption, Environmental Review No. 2023-115, will be filed upon adoption of this ordinance.

**Section 3.** Section 41-190 (General restrictions) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-190. - General restrictions.

Except as hereinafter provided:

- (a) No building shall be erected, reconstructed or structurally altered except in conformance to the provisions contained herein; nor shall any building or land be used for any purpose other than that which is permitted in the district or modified district in which such building or land is located. All uses, as defined in Division 2 of Article 1 of this Chapter, not expressly permitted in any zoning district are prohibited.
- (b) No building shall be erected, reconstructed or structurally altered to exceed the height or size limit herein established for the district or modified district in which such building is located.
- (c) No lot area shall be so reduced or diminished that any yard area or other open spaces shall be smaller than prescribed by this chapter.
- (d) No yard or other open space provided about any building for the purpose of complying with the provisions of this chapter shall be considered as providing a yard or open space for any other building; provided further that no yard or open space on an adjoining property shall be considered as providing a yard or open space on a lot whereon a building is to be erected.

- (e) Every building hereafter erected shall be located on a lot created in conformance with the subdivision regulations and in no case shall there be more than one (1) dwelling or other principal structure on one lot except as provided herein.
- (f) Whenever any land or building is devoted to a use of a more restricted classification than that permitted in the district or modified district where located, such act shall constitute a waiver of any right to claim that any use of buildings or land near, or adjacent thereto, constitute a nuisance in any manner different from that which would be a nuisance if such use were of the least restricted classification permitted in such districts.

**Section 4.** Section 41-1130 (Permitted locations) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-1130. - Permitted locations.

New and reconstructed billboards, and the conversion of existing freeway oriented on-premise advertisement signs to a digital billboard:

- (a) Shall only be constructed on properties zoned and used for non-residential uses in any zoning district, including overlay zones, specific plans, and specific development zones. Such requirement may be modified by the Planning Commission through the approval of a Conditional Use Permit.
- (b) Shall be located within the Freeway Corridor as defined in Section 41-1101.
- (c) Shall not be located within five hundred (500) feet from any residentially zoned parcel, as measured from the border of the digital billboard face, or the base of the digital billboard structure, to the nearest property line of the residentially zoned property. Such requirement may be modified to be no less than one-hundred fifty (150) feet for mixed-use districts by the Planning Commission through the approval of a Conditional Use Permit.
- (d) Shall be located outside any right-of-way owned by the California Department of Transportation (Caltrans).
- (e) Shall not significantly block or significantly impair views of any landmark identified in the General Plan.
- (f) To preserve views of the Santa Ana Water Tower, no billboard shall be constructed on any property adjacent to the northbound and southbound travel lanes of the Santa Ana (I-5) Freeway between Main Street and Grand Avenue.

**Section 5.** Section 41-1131 (Development standards) of the SAMC is hereby amended as follows:

Sec. 41-1131. - Development standards.

- (a) All digital billboards shall comply with standards established by the California Department of Transportation (Caltrans) in effect at the time the permit is issued. These standards may prohibit the construction of digital billboards in landscaped areas and/or in zones where residential uses are permitted; may limit the size and height of digital billboards; and may require separation between billboards, among other provisions.
- (b) All new or reconstructed billboards shall be digital billboards. The construction or reconstruction of static billboards is prohibited.
- (c) The development standards in Table 41-1131 shall be applicable to all new and reconstructed billboards.

**Table 41-1131 Digital Billboard Development Standards**

Standard	
Maximum Sign Area/Face	As allowed by Caltrans
Maximum Number of Faces	Two (2)
Maximum Height	Sixty (60) feet <sup>(1)</sup>
Spacing Between Billboards	One-thousand (1,000) feet <sup>(2)</sup>
Number of Vertical Supports	One Vertical Support <sup>(3)</sup>
Notes:	
1. Measured from nearest adjacent curb level on the site on which the sign is constructed. May be modified through Planning Commission approval of a Conditional Use Permit.	
2. The minimum separation between billboards located on the same freeway side shall be one-thousand (1,000) feet (including static billboards) or standards established by Caltrans in effect at the time the permit is issued, whichever is greater, as measured from the base of each billboard's vertical support.	
3. All conduits, cables and appurtenances shall be concealed within the vertical support.	

**Section 6.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**Section 7.** This ordinance shall become effective thirty (30) days after its adoption.



**Section 8.** The Clerk of the Council shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Valeria Amezcua  
Mayor

APPROVED AS TO FORM  
Sonia R. Carvalho, City Attorney

By: Jose Montoya  
Jose Montoya  
Assistant City Attorney

AYES: Councilmembers: \_\_\_\_\_

NOES: Councilmembers: \_\_\_\_\_

ABSTAIN: Councilmembers: \_\_\_\_\_

NOT PRESENT: Councilmembers: \_\_\_\_\_

## CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, \_\_\_\_\_, City Clerk, do hereby attest to and certify that the attached Ordinance No. NS-\_\_\_\_\_ to be the original ordinance adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
City of Santa Ana