

ALTERNATIVE COALITION PROPOSED CHANGES

DATED OCTOBER 18, 2022

Staffs recommendations to the code are in black underline, and staff proposed deletions are in ~~black strike-out~~. Coalition proposed changed are in red underline, and Coalition proposed deletions are in ~~red strike-out~~. Coalition comments (which are not to be part of the code) are in [Bracketed Green].

Pages which have changes requested in them have the header of the page highlighted yellow.

ALTERNATIVE PROPOSED CHANGES BEGIN ON THE FOLLOWING PAGE

Attachment A: Proposed Planning Code Amendments – Title 17 (OMC Section 17.104.060)

PROPOSED PLANNING CODE AMENDMENTS

The following are the Planning Code amendments proposed by staff. Deletions are in ~~strike out~~ and additions are underlined.

17.104.060 – General Limitations on Advertising Signs

Notwithstanding any provisions to the contrary contained within the Planning Code Municipal Code, Advertising Signs are not permitted in Oakland except: (1) as otherwise provided for in this Code, or (2) pursuant to a Franchise Agreement, Real Estate Agreement, or Relocation Agreement authorized by the Oakland City Council, which expressly allows Advertising Signs and then only under the terms and conditions of such agreements. Advertising Signs on City – Owned Land, City-leased land, and City – Owned Rights of Way are only allowed under the procedures and regulations set forth in Oakland Municipal Code (OMC) Chapter 5.97 Advertising Signs Selection Process for City- Owned Land, City-Leased Land, and City-Owned Rights-of-Way and OMC Title 14 Advertising Sign Regulations.

**Attachment D: Proposed Oakland Municipal Code
Amendments – Title 5 (OMC Chapter 5.97)**

Chapter 5.97 - ADVERTISING SIGNS SELECTION PROCESS FOR CITY-OWNED LAND, CITY-LEASED LAND, AND CITY-OWNED RIGHTS-OF-WAY

**[NO CHANGES HAVE BEEN REQUESTED FOR TITLE 5
(Attachment D accepted as Staff has proposed)]**

Attachment E: Proposed Oakland Municipal Code Amendments – Title 14

PROPOSED MUNICIPAL CODE AMENDMENTS

The following are the Municipal Code amendments proposed by staff. Deletions are in strike out and additions are underlined. This is for informational purposes only

Title 14

SIGNS ADVERTISING SIGNS

Chapters:

Chapter 14.04 ~~Oakland Sign Code~~ Advertising Sign Standards

Sections:

14.04.010 Title ~~Uniform Sign Code~~ Purpose

A. This title shall be known as the "Oakland Sign Code," may be cited as such, and will be referred to herein as "this title" or "this code." B. ~~The Uniform Sign Code, Copyright 1976 by International Conference of Building Officials, copies of which have been placed on file with the City Clerk for use and examination by the public and by Resolution No. 56311 C.M.S. declared to be public records, as the Uniform Sign Code has been deleted, changed and supplemented with approval of this Council, and each and all of the regulations, provisions, conditions, requirements and terms thereof are adopted as Oakland sign code for regulating the design, quality of materials, construction, location, electrification, and maintenance of all sign and sign structures not located within a building in the city of Oakland, and by this reference is incorporated herein and made a part hereof to the same effect as though set forth herein in full.~~

Attachment E: Proposed Oakland Municipal Code Amendments – Title 14

The purpose of this Chapter is to establish City requirements for the location, design construction, and operation of Advertising Signs. See OMC Chapter 5.97 for the procedure for the review of Advertising Signs on City-owned land, City-leased Land, and City-owned rights of way and OMC Section 17.104.060 for permissible use of Advertising Signs.

14.04.020 ~~Changes, additions and deletions~~ General Limitations on Advertising Signs

A. ~~The changes, additions and deletions in the copies of the Uniform Sign Code placed on file with the City Clerk, hereinafter set forth and designated, are approved and adopted~~ Notwithstanding any provisions to the contrary contained within the Municipal Code, Advertising Signs are not permitted in the City of Oakland except as provided below:

1. New, relocated or wholly reconstructed Advertising Signs as part of a billboard relocation agreement authorized by the City of Oakland or Oakland Redevelopment Agency prior to November 18, 1997 provided further that the restrictions contained in Ordinance No. 12025 C.M.S., as amended by Ordinance No. 12085 C.M.S., shall apply so that there shall be no increase in the number of billboard faces allowed to promote the sale of Tobacco Products or Alcoholic Beverages, regardless of the location of said billboard faces;
2. New, rRelocated or wholly reconstructed Advertising Signs on City-Owned Land, City-leased land, and City-Owned Rights of Way pursuant to a Franchise Agreement, Real Estate Agreement, or Relocation Agreement as per the procedure set forth in Chapter 5.97 Advertising Sign Procedure authorized by the City Council, which expressly allows Advertising Signs and then only under the terms and conditions of such Agreements;
3. New or relocated Advertising Signs located on private property pursuant to a Relocation Agreement authorized by the Oakland City Council ~~City-controlled property and/or City-owned public right-of-way as approved and authorized in accordance with Chapter 5.97 Advertising Signs Selection Process for City-Owned Land, City-Leased Land, and City-Owned Rights-of-Way and Title 14. Advertising Sign Regulation.~~

14.04.030 ~~Section 101 amended~~ Application.

~~Section 101 is changed to read as follows: Sec. 101. This Ordinance shall be known as the Oakland Sign Code, may be cited as such, and will be referred to herein as "this Ordinance" or "this Code." Where reference is made to the Uniform Building Code, it shall mean the Oakland Building Code.~~

Attachment E: Proposed Oakland Municipal Code Amendments – Title 14

A. Application for an Advertising Sign meeting the definition in Section 14.04.050 and the criteria for allowed consideration in Section 14.04.020 shall be made in accordance with Chapter 5.97 of the Oakland Municipal Code if on City-owned land, City-lease land, or on City-owned Rights of Way. Any application for an Advertising Sign(s) , including through a Relocation Agreement, shall be accompanied by such information including, but not limited to, site plans, drawings and elevations, and operational data, as may be required to enable the pertinent Physical and Operational Standards in Sections 14.04.050 and 14.04.060 to be applied to the proposal.

B. Applications for Advertising Signs shall be consistent with the provisions set forth by the California Outdoor Advertising Act.

14.04.040 ~~Section 102 amended~~ Definitions.

The third paragraph of Section 102 is amended to read as follows: The regulations of this Code are not intended to permit any violation of the provisions of any other lawful City ordinance, or State or Federal law.

As used in this Chapter:

“Advertising Sign” means any sign described in Oakland Planning Code Section 17.10.850.

“Digital Advertising Sign” means any Advertising Sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically, such that the alphabetic, pictographic, or symbolic informational content of which can be changed or altered on a fixed display surface composed of electronically illuminated or electronically actuated or motivated elements can be changed or altered electronically. A Digital Advertising Sign may be internally or externally illuminated. This includes Advertising Signs with displays that are preprogrammed to display only certain types of information and Advertising Signs whose informational content can be changed or altered by means of computer-driven electronic impulses. This includes, without limitation, Advertising Signs also known as Electronic Advertising Signs or LED Advertising Signs.

“Relocation Agreement” means an agreement between the City and an applicant(s) to remove and/or relocate existing Advertising Sign(s) in order to build a lesser number of Advertising Signs or facilitate a more appropriate location for existing Advertising Sign(s), such as along freeways, pursuant to location requirements under O.M.C. Title 14. Such agreements are encouraged under the California Outdoor Advertising Act (Business and Professions Code section 5200 et seq.). If an applicant has less than ten (10) existing Advertising Sign(s) in the city at the time of their request for a Relocation Agreement, the applicant may choose to pay a fee in lieu of removing signs. Such fee shall be equal to the estimated value of signs similar to those that would have been removed if the applicant had more than 10 (ten) signs in the city to do so. Such in-lieu fee must be directed to a blight reduction use or an organization which performs community cleanup.

Attachment E: Proposed Oakland Municipal Code Amendments – Title 14

14.04.050 Section 103(c) amended Physical Standards.

Section 103(c) is changed to read as follows:

~~Sec. 103(c). Appeals. The Board of Examiners and Appeals created by virtue of Section 204 of the Oakland Building Code shall have the same powers and exercise the same function with respect to the Oakland Sign Code presently exercises with respect to the Oakland Building Code.~~

A. Location. Application for an Advertising Sign shall only be considered if located: (1) on city-controlled land, real estate, or City-owned public right-of-way; or on private property (2) within five hundred (500) feet from the edge of the right-of-way of an interstate or primary highway, with its copy oriented toward the highway with the purpose of its message being visible and readable from the main traveled way; and (3) in areas zoned Industrial or Commercial, as defined and specified in Title 17 of the Oakland Municipal Code.

[END OF PROPOSED COALITION CHANGES. THE REMAINDER OF THE STAFF RECOMMENDATIONS TO TITLE 14 REMAIN UNCHANGED]