

ORDINANCE NO. 212-15

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLIAMS
AMENDING CHAPTER 17.11 OF THE WILLIAMS MUNICIPAL CODE
RELATED TO SIGNS**

WHEREAS, on July 28, 2015, the Planning Commission of the City of Williams (“Planning Commission”) conducted a duly noticed public hearing and recommended that the City Council of the City of Williams (“City Council”) amend Chapter 17.11 of the Williams Municipal Code to clarify and update existing code sections related to signs (“Sign Ordinance”);

WHEREAS, on September 16, 2015, the City Council held a duly noticed public hearing at which all persons wishing to testify in connection with the Sign Ordinance were heard and the Sign Ordinance was comprehensively reviewed; and

WHEREAS, the City Council wishes to clarify and update existing code sections related to signs to make these sections consistent with the goals of the City related to signs, State law and Federal law.

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

Section 1. Amendment. Chapter 17.11 of the City of Williams Municipal Code is hereby amended as to read in full as set forth in the attached Exhibit “A”, incorporated by this reference.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, 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 ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 3. Posting. Within fifteen (15) days from the date of passage of this Ordinance, the City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be posted in three public places within the City of Williams.

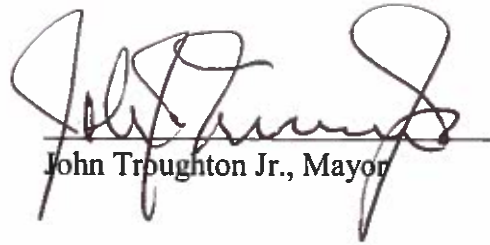
Section 4. Effective Date. This Ordinance shall take effect and be enforced commencing thirty (30) days following its adoption.

INTRODUCED to the City Council on the 18 day of November 2015. PASSED AND ADOPTED this 20th day of January 2016 by the following vote:

AYES: Councilmembers Bergson, Boes, Jauregui, Sellers, Jr., and Mayor Troughton, Jr.

NOES:

ABSENT:
ABSTAIN:




John Troughton Jr., Mayor

ATTEST:



Mariana Pineda, City Clerk

APPROVED AS TO FORM:



Ann M. Siprelle, City Attorney

EXHIBIT "A"

Chapter 17.11 SIGNS

Sections:

- 17.11.010 Purpose.**
- 17.11.020 General Principles.**
- 17.11.030 Definitions.**
- 17.11.040 Review Process.**
- 17.11.050 General Regulations.**
- 17.11.060 Signs in Residential and Agricultural Zones.**
- 17.11.070 Signs in Commercial and Industrial Zones.**
- 17.11.080 Freeway and Tourist Oriented Signs.**
- 17.11.090 Temporary Signs.**
- 17.11.100 Specific Regulations Regarding Murals.**
- 17.11.110 Enforcement.**
- 17.11.120 Non-Conforming Signs.**
- 17.11.130 Signs on Public Property**

17.11.010 Purpose.

- A. The purpose of this Chapter is to provide minimum standards to safeguard life, health, property, aesthetics and public welfare and safety by regulating and controlling the type, size, number, design, quality of materials, construction, illumination, location and maintenance of all signs in the City of Williams.
- B. By adopting this Chapter, the City intends to balance several competing interests, including:
 - 1. To regulate signs in a constitutional manner, with rules that do not regulate protected noncommercial speech by content or favor commercial speech over noncommercial speech;
 - 2. To provide adequate opportunity for persons to express themselves by displaying an image or message on a sign;
 - 3. To preserve and enhance the aesthetic, traffic safety and environmental values of our community;
 - 4. To minimize distraction, obstruction or other impediments to traffic circulation which would be caused by excessive or inappropriately placed signage;
 - 5. To safeguard and preserve the health, property, and public welfare of Williams's residents by regulating the physical design, location, and maintenance of signs.

6. To provide a method for abatement of illegal and abandoned signs; and
7. To implement the General Plan.

17.11.020 General Principles.

- A. *Regulatory Scope.* This Chapter, except for Section 17.11.130 which regulates signs on City property, regulates signs, as defined herein, which are located on or displayed from, private property located within the City as well as signs located on public property owned by public agencies other than the City, over which the City has land use regulatory authority.
- B. *Owner's Consent.* No sign may be displayed on private property without the consent of the property owner or person holding the present right of possession and control of the property, except that a landlord's consent is not required for a tenant to display signs as specified in Civil Code Section 1940.4.
- C. *Noncommercial Messages.* There is no location criterion for noncommercial messages that are protected by the First Amendment to the U.S. Constitution and/or the corollary provisions of the California Constitution.
- D. *Message Substitution.* Any constitutionally protected noncommercial message may be substituted for any duly permitted or allowed commercial message, or any duly permitted or allowed noncommercial message, provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting.
- E. *Permit Generally Required.* Unless exempted from the sign permit requirement, all signs shall be installed or displayed only pursuant to a sign permit issued by the City. It is unlawful for any person, association, corporation or other entity to erect in any manner within the City a sign, except in conformance with the provisions of this Chapter and all other applicable laws, rules and regulations and policies.
- F. *Discretionary Approvals.* Whenever a sign or a proposed sign is subject to any discretionary review, permit, or approval, such discretion may be exercised only as to the compatibility of the sign within its location, and other structural, architectural and locational factors and consistency with the City's Design Manual in accordance with Section 17.05.270.2 (C) of the Zoning Ordinance
- G. *Administrator Interpretations.* All interpretations of this Chapter shall be exercised in light of message neutrality and message substitution policies. Where a particular type of sign is proposed, and the type is neither expressly allowed nor prohibited by this Chapter, or whenever a sign does not qualify as a "structure" as defined in the Building Code, as adopted by the City, then the Planning Commission or Planning Director or his/her designee, as applicable, shall approve, conditionally approve or disapprove the

application based on the most similar sign type, using physical and structural similarity, that is expressly regulated by this Chapter.

- H. *Compatibility Factors.* In determining compatibility of a sign with its surrounding environment, the following criteria may be considered: (1) Style or character of existing improvements upon the site and properties adjacent to the site; (2) Visual elements such as construction materials, physical design details, and the number and spacing of signs in the area; (3) The sign's height, size and location, in relation to its proposed location and use; (5) Potential effect of the proposed sign on driver and pedestrian safety; (6) Potential blocking of view (whole or partial) of a structure or façade or public view of natural, historical or architectural significance; (7) Potential obstruction of views of users of adjacent buildings to side yards, front yards, open space, or parks; (8) Potential negative impact on visual quality of public spaces, including but not limited to recreation facilities, public squares, plazas, courtyards and the like; (9) Whether the sign structure will impose an aesthetically foreign or inharmonious element into the existing skyline or local viewscape. In addition, in accordance with Section 17.06.270.2 (C) of the Zoning Ordinance, sign review must include evaluation for consistency with certain standards and guidelines contained in the City's Design Review Manual.
- I. *Federally Registered Marks.* The provisions of this Chapter shall not require alteration of the display of any registered mark, or any trademark, service mark, trade name, or corporate name that may be associated with or incorporated into a registered mark, where such alteration would require the registered mark to be displayed in a manner differing from the mark as exhibited in the certificate of registration issued by the United States Patent and Trademark Office. However, the City does have discretion to regulate the size of the display in relation to compatibility factors. It is the responsibility of the applicant to establish that a proposed sign includes a registered mark.

17.11.030 Definitions.

For purposes of this Chapter, refer to Section 17.06.320 regarding Zoning Definitions.

17.11.040 Review Process.

- A. All sign permit applications shall be consistent with the provisions of this Chapter. All signs that are not expressly exempted from the sign permit requirements may be installed, erected, or displayed only pursuant to a sign permit. There are three types of sign processes that require City review, including 1) review of some exempt signs that don't require permits, 2) Sign Installation Permits and 3) Comprehensive Sign Package Permit. Section 17.11.050 (B) of this Chapter provides more details of those signs identified as being exempt from a permit. The following addresses Sign Installation and Comprehensive Sign Package Permits.
 - 1. *Sign Installation Permit and Fee.* Application for a Sign Installation Permit may be filed with the City Planning Department upon forms furnished by the City.

The application shall include working drawings and details as described in the City's Sign Application Checklist as provided and maintained by the Planning Director. The City Council may establish by resolution a fee commensurate with the costs of processing and reviewing applications and administering this Chapter. If a fee is established by the City Council, the fee shall accompany each application for a Sign Installation Permit.

2. *Comprehensive Sign Package and Fees.* Buildings or building complexes containing three or more uses or separately leasable spaces, shall be required to submit a Comprehensive Sign Package to the City Planning Department on forms furnished by the City prior to the issuance of the first sign permit for the building complex. Such sign package shall include a sign program and other information as described in the City's Comprehensive Sign Package Application Checklist as provided and maintained by the Planning Director. The City Council may establish by resolution a fee commensurate with the costs of processing and reviewing applications and administering this Chapter. If a fee is established by the City Council, the fee shall accompany the submission of a Comprehensive Sign Package.

B. *Approving Authority.* The following persons, departments, advisory or legislative bodies are entitled to approve or deny sign requests as follows:

1. *Sign Installation Permit.* The Planning Director or his/her designee, is authorized to issue a Sign Installation Permit if said application complies with the provisions of this Chapter and all other applicable laws, rules, regulations, procedures, design guidelines and standards and policies, including all applicable health and safety codes. In accordance with the City's Design Review Procedures, the Sign Installation Permit may also be subject to review by the Design Review Committee and/or the Planning Commission. The Planning Director or his/her designee may also refer a Sign Installation Permit application to the Planning Commission if he/she finds that the proposal may conflict with the purposes and criteria set forth in this Chapter. The Design Review Committee, Planning Commission or Planning Director or designee, as the case may be, may approve a Sign Installation Permit if on the basis of the application, plans, materials, and testimony submitted, finds:
 - a. The proposed sign(s) conform to the criteria set forth in this Chapter;
 - b. The proposed sign(s) is/are compatible with other signs on the site and in the vicinity;
 - c. The proposed sign(s) will not adversely impact traffic circulation in adjacent right-of-way or create a hazard to vehicular or pedestrian traffic; and

- d. The proposed sign(s) will not have an adverse visual impact on adjoining land uses.
- e. The proposed sign(s) is consistent with the Design Review Manual in accordance with Section 17.05.270.2 (C) of this Code.

The Planning Director or designee may approve a Sign Installation Permit application subject to such conditions, modifications or limitations as the committee and/or commission deems appropriate to carry out the purposes and goals of this Chapter

2. *Comprehensive Sign Package.* The Planning Director or designee shall consider and either approve or deny Comprehensive Sign Packages according to the provisions of this Chapter, and all other applicable laws, rules, regulations and policies, including all applicable health and safety codes. The Planning Director or designee may approve a Comprehensive Sign Package application subject to such conditions, modifications or limitations as the Planning Director or designee deems appropriate to carry out the purposes and goals of this Chapter. In accordance with the City's Design Review Procedures, the Comprehensive Sign Package may be subject to review by the Design Review Committee and/or the Planning Commission. The Planning Director or designee may also refer Comprehensive Sign Packages to the Design Review Committee and/or Planning Commission if he/she finds that the proposal may conflict with the purposes and criteria set forth in this Chapter. The Design Review Committee, Planning Commission or Planning Director or designee as the case may be, may approve a Comprehensive Sign Package if on the basis of the application, plans, materials, and testimony submitted, finds:

- a. The proposed sign(s) conform with the criteria set forth in this Chapter;
- b. The proposed sign(s) is/are compatible with other signs on the site and in the vicinity;
- c. The proposed sign(s) will not adversely impact traffic circulation in adjacent right-of-way or create a hazard to vehicular or pedestrian traffic; and
- d. The proposed sign(s) will not have an adverse visual impact on adjoining land uses.
- e. The proposed is consistent with the Design Review Manual in accordance with Section 17.05.270.2 (C) of this Code.

C. **Time Required Between Substantially Similar Applications.** In accordance with Section 17.05.280.11 of this Code, the City shall not accept any application that is substantially

similar to an application that was denied within the six months from the date the application is denied.

- D. *Public Hearing Process.* Any application for a Sign Installation Permit or Comprehensive Sign Package which was denied is appealable to the Planning Commission in accordance with the provisions in Section 17.05.260.4 of this Code. A decision by the Planning Commission is appealable to the City Council in accordance with the provisions in Section 17.05.280.7 of this Code.
- E. *Installation.* Signs shall be installed substantially consistent with the plans approved by the approval authority within twelve (12) months of the approval or the sign approval will be deemed to have expired and become null and void. Prior to sign installation, a sign building permit shall be obtained as required by the Uniform Sign Code and/or related City regulations.

17.11.050 General Regulations.

- A. The erection of signs and their supports shall be in accordance with applicable provisions of the California Building Code, as adopted and applied by the City pursuant to Chapter 15.04 of this Code, and the California Electrical Code, as adopted and applied by the City pursuant to Chapter 15.12 of this Code, in compliance with the Sign Design Standards and consistent with the Sign Design Guidelines referenced in the City's Design Review Manual, and other applicable codes, statutes, ordinances and regulations. The owner of any parcel on which a sign is located shall properly maintain, or cause to be maintained, in good condition and repair every sign, and its parts, structure, supports and surrounding landscape areas, if any.
- B. *Exempt Signs.* An exemption from a Sign Installation Permit or Comprehensive Sign Package shall not be deemed to grant authorization for the installation of any sign not in compliance with all requirements of this Chapter or consistent with the Design Review Manual, nor any provisions of the codes of the City. All signs that have an electrical system shall require an electrical permit issued by the Building Official. Some signs that may qualify to be exempt from permit requirements may be subject to approval by the Planning Director. However, if after initial review of a sign that may be listed as exempt is found not to be in compliance with this Chapter and/or not consistent with the Design Review Manual, the Planning Director may qualify the sign as subject to a Sign Installation Permit. Signs that have been deemed subject to a Sign Installation Permit are then subject to all provisions of Section 17.11.040 of this Chapter. Sign types are generally exempt from the sign permit requirement, but are still subject to all other applicable laws, rules, regulations, policies and approvals as shown below in Table 17.11.050.10:

Table 17.11.050.10
Exempt Signs
Level of Review

Description of Sign	Subject to Planning Director Approval	No Clearance Required
1. Temporary Signs (see Section 17.11.090)	X	
2. Window Signs (See Section 17.11.070 (4))	X	
3. Feather Banners (See Section 17.11.070 (8))	X	
4. Commercial Mascots (See Section 17.11.070 (9)).		X
5. Address numerals and other such devices not exceeding one square foot in area and bearing only property numbers, post box number, names of occupants, or other similar identification on a site.		X
6. Official flags of national, State, or local governments, or nationally recognized fraternal, public service, or religious organizations, provided the length of the flag shall not exceed one-fourth the height of the flag pole, and the flag is not used for commercial advertising.		X
7. Legal notices, identification, informational or directional/traffic controlling devices erected or required by government agencies.		X
8. Decorative or architectural features of buildings, (not including lettering or trademarks or moving parts) which do not perform a communicative function (examples include color stripes around an office building or retail store).	X	
9. Holiday and cultural observance decorations displayed in season, including inflatable objects, on private residential property which are on display for no more than 45 calendar days per year (cumulative, per dwelling unit) and which do not include commercial messages.		X
10. Aerial banners towed behind aircraft.		X
11. Kiosks, including Automated teller Machines (ATMs, when not used for general advertising).	X	
12. Historical monuments, plaques and tablets.		X
13. Signs or displays located entirely inside of a structure and not clearly visible from public view.		X
14. California State Lottery signs, approved by the Lottery Commission for display by Lottery Game Retailers, in accordance with the California Government Code.		X
15. Symbols embedded in architecture- symbols of noncommercial organizations or concepts including but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal, by way of example and not limitation, such symbols include stained glass windows on churches, carved or base relief doors or walls, bells and		X

Description of Sign	Subject to Planning Director Approval	No Clearance Required
religious statuary.		
16. Directional signs less than four (4) square feet in size.		X
17. Accessory signs not exceeding four (4) square feet in area within non-residential zones.		X
<p>18. Real estate signs.</p> <p>a. Residential Zones. One non-illuminated real estate sign for each parcel street frontage, not more than four (4) square feet in area, with a maximum height of six feet, only located on the property it advertises.</p> <p>b. Non-Residential Zones. One non-illuminated real estate sign not more than 32 square feet, with a maximum height for freestanding signs of eight (8) feet, for each parcel street frontage, only located on the property it advertises.</p>		X
19. Subject to the provisions of Section 17.11.130 of this Chapter regarding signs on public property, government signs posted by the City on City Property to express its own message(s) to the public; traffic control and traffic directional signs erected by the City or other governmental entity; official notices required or authorized by law or court order; signs placed in furtherance of the City's governmental functions.		X
20. Grave markers, gravestones, headstones, mausoleums, shrines, and other markers of the deceased.		X
21. Subject to the provisions of Section 17.11.130 of this Chapter regarding signs on public property, picketing and the personal carrying of signs "picketing," displaying protected noncommercial speech messages, is allowed in Traditional Public Forum Areas, except in the roadway when it is open to normal vehicular traffic; picketers may not interfere with public ingress or egress or free use of sidewalks or public right-of-way. For safety reasons, picketing is allowed from sunrise until 10 p.m. In order to serve the City's interests in traffic flow and safety, persons displaying signs under this Section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give at least 3 feet width clearance for pedestrians to pass by. Persons holding		X

Description of Sign	Subject to Planning Director Approval	No Clearance Required
signs may not block the view within the clear corner area.		
22. Fuel pump accessory signs that don't exceed four (4) square feet for each side of a pump.		X
23. Gas station island advertising signs that don't exceed eight (8) square feet for each side of a gas island.		X
24. Menu signs that don't exceed 12 square feet for each drive-through lane.		X
25. Gas station price signs required by State law, not exceeding the number and area required by State law. An exception is provided to allow gas price signs in the Highway Overlay Zone to not exceed 350 square feet. Gas station price signs shall not count towards the size restrictions for signs. However, gas station price signs that exceed the maximum size allowed by State law shall be subject to review by the City.	X	X
26. Agriculture produce signs not exceeding ten (10) square feet each, not more than two signs per business, for sales of food from produce primarily grown on the same site.		X
27. A-frame signs in commercial zones that comply with Section 17.11.070 A-7 of this Chapter.		X
28. Replacement or change of a changeable copy sign.	X	
29. Small off-site signs on vehicles in all non-residential zones in the City, subject to the following conditions and regulations: A. Signs shall be painted on, placed on or affixed to a vehicle. No more than one sign per location permitted. B. Signs shall be placed only on operable vehicles with current California Department of Motor Vehicles registration. C. No sign shall exceed 32 square feet in size. Double-sided signs shall be allowed, in which case each side shall not exceed 32 square feet in size. D. All vehicles with signs parked in the City shall comply with all applicable state and City vehicle stopping and parking regulations. E. No vehicle with a sign allowed by this Section shall be parked in any manner that the vehicle or sign, or both, will, or reasonably may be expected to: (a) obstruct the free flow of vehicular and pedestrian traffic; (b) obstruct the view of motorists and/or pedestrians; (c) obstruct the view of or		X

Description of Sign	Subject to Planning Director Approval	No Clearance Required
conflict with any traffic sign, signal or device; or (d) otherwise be detrimental to public safety.		
30. Temporary commercial message signs displayed for a maximum of three periods per year for up to 15 days each period.	X	
31. Protected Noncommercial Speech (political) signs		X
32. Flags		X
33. City logo or City reference signs, not exceeding 200 square feet each, located within Highway Overlay Zone.	X	

C. *Prohibited Signs.*

1. *Types of Prohibited Signs.* All signs not expressly allowed by this Chapter shall be prohibited.
2. *Examples of prohibited signs.* Examples of prohibited signs include the following:
 - a. Flashing, rotating, moving, blinking, reflecting and/or florescent painted signs, or signs which emit smoke, fumes, flashes, sparks, or sound;
 - b. Signs on trees, shrubs, stones, fences or utility poles;
 - c. Any sign erected in such a manner that it will, or reasonably may be expected to, obstruct the view of or conflict with any traffic sign, signal or device, obstruct the view of pedestrian or vehicular traffic, or otherwise be detrimental to public safety;
 - d.. Animated Signs, including electronic message display signs, and variable intensity, blinking, or flashing signs, balloons, inflatable signs or other similar attention getting devices, or signs that emit a varying intensity of light or color (except for commercial mascot signs).
 - e. Roof signs.

- f. Abandoned signs.
- g. Illegal signs.
- h. Signs displayed without permission of owner or lessee.
- i. Signs that are hazardous or unsafe by virtue of their physical condition.
- j. Search lights used for advertising or attention getting
- k. Signs that are activated by air, forced air, forced gas, or wind.
- l. Signs that interrupt or encroach into the corner clear zone.
- m. Private party signs placed on City property without consent.
- n. Digital display/Electronic Message signs, excepting therefrom signs permitted explicitly in this Chapter.
- o. Freeway oriented and off-site signs, unless they meet the criteria listed in Section 17.11.080.
- p. Flags, except as specifically allowed Section 17.11.030 of this Chapter.
- q. Inflatable or tethered signs or devices.
- r. Obscene signs, such as graphic images of human anatomical areas or specified sexual activities as more completely described in City Ordinance 134-04.

D. *Sign Maintenance.*

- 1. Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.
- 2. A repair to a sign shall be of equal or better quality of materials and design as the original sign.
- 3. A sign that is not properly maintained and is dilapidated and has been deemed a public nuisance may be abated in compliance with this Code.
- 4. When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed.

5. Unpainted areas of a sign and supporting structure and hardware shall be painted to match the adjacent portion of the structure or the sign support structure.
- E. *Relocation.* A permanent sign may be relocated only pursuant to a new permit. Relocated signs must comply with all rules that apply to the new location.
- F. *Flags.* Flags are considered signage if not meeting the definition of “flag” in Section 17.06.320 of this Chapter.

17.11.060 Signs in Residential, Agricultural and Neighborhood Conservation Zones.

- A. Signage for residential uses is allowed, unless specifically prohibited by this ordinance, if complying with the following standards:
 1. *Signs on Single and Multi-family Residences (individual dwelling units).* Single family residential units may display signs as stated in this subsection, subject to the rules stated in this subsection.
 - a. *Sign Area.* At all times, the total display area of all signs shall not exceed 5 square feet; in the case of freestanding signs, area shall be measured on all sides and shall count separately.
 - b. *Height.* Signs in the corner clear zone shall not exceed 30 inches in height and shall not create a traffic sight obstruction or other traffic or pedestrian hazard.
 - c. *Number of Signs.* Not limited
 - d. *Location.* Not on public property or public right of- way, or mounted on utility structures or poles, or trees or vegetation.
 - e. *Prohibited Signs.* A-frame signs, digital displays, interior illuminated signs, feather banners, and roof signs are prohibited in residential zones.
 2. *Project Entrance Signs.* New housing developments may display signs as authorized by this subsection, subject to the rules stated in this subsection. The signs authorized by this subsection are in addition to those authorized for individual dwelling units.
 - a. *Number of Signs.* One sign per each main vehicular traffic entrance. The signs must be placed within a maintained landscaped area within an acceptable easement or open space lot authorized for signage.
 - b. *Size and Height.* Maximum 24 square feet (per side); maximum 4 feet high.

3. Tourist oriented directional signs in compliance with Section 17.11.080 C of this Chapter.

B. *Agricultural or Open Space Signs*

The following signs are allowed in agricultural or open space zones or easements:

1. *Wall Signs.* Wall sign area shall not exceed 40 square feet.
2. *Monument Signs.* Monument signs shall not exceed 20 square feet, or five (5) feet in height. Monument signs shall be placed within a landscaped area.
3. *Tourist Oriented Directional Signs.* Tourist oriented directional signs in compliance with Section 17.11.080 C of this Chapter.

17.11.070 Signs in Commercial and Industrial Zones.

A. *Permanent Signs*

The following types of signs may be mounted, erected, installed and displayed on commercial, institutional and industrial uses, subject to the rules stated in this Section. All commercial messages shall be on-site only, except in the C-S, C, C-D, BP, or IN zones.

1. *Freestanding Signs.* Freestanding sign types include pole signs, ground signs or monument signs.
 - a. *Pole or Ground Signs.* A pole or a ground sign may be permitted if all of the following design standards are met.
 - i. *Frontage Requirement.* The site shall have a street frontage of at least 200 feet.
 - ii. *Number of Signs.* The identification of a single use not located within a building complex will be limited to one freestanding pole or ground sign. The identification of uses located within a building complex will be limited to one freestanding pole or ground sign per each 1000 feet of street frontage provided that complexes with multiple street frontages may be allowed one secondary ground sign with a maximum height of 15 feet provided the total allowable sign area is not exceeded. No individual use located within a building complex will be permitted to have its own freestanding pole or ground sign.

- iii. *Sign Area.* The total sign area of all freestanding pole or ground signs for a single building or a building complex shall not exceed the following:

Total Building(s) Area	Total Sign Area
0-10,000 sq.ft.	50 sq.ft.
10,001-20,000 sq.ft.	100 sq.ft.
20,001- 50,000 sq.ft.	150 sq.ft.
50,001- 100,000 sq.ft.	200 sq.ft.
100,001- 200,000 sq.ft.	250 sq.ft.
Over 200,000 sq.ft.	300 sq.ft. max.

- iv. *Sign Height.* The height of a freestanding pole or ground sign shall not exceed the following standards:

Total Building(s) Area	Total Sign Height
0-20,000 sq.ft.	20 feet
20,001 - 75,000 sq.ft.	25 feet
 Height Exception	 25% increase in height for signs incorporating City Logo or City reference on the top section of sign-design subject to approval by the Planning Commission.

- b. *Monument Signs.* Freestanding monument signs may be permitted subject to following design standards

- i. *Building Complexes.* Limited to one monument sign per each 150 feet of street frontage.
- ii. *Frontage Requirement.* No more than one monument sign shall be allowed per street frontage.
- iii. *Sign Area.* The sign area of a monument sign shall not exceed the following standards:

Building Area	Sign Area
0-10,000 sq.ft.	20 sq.ft.
10,001-25,000 sq.ft.	30 sq.ft.
Over 25,000 sq.ft.	40 sq.ft. max.

- iv. *Sign Height.* No monument sign including a frame, border or base shall exceed 6 feet in height as measured from existing grade.
2. *Wall Signs.* The maximum size of a wall sign, including a logo, shall be 2 square feet of sign area for each lineal foot of primary tenant frontage and 0.5 additional square foot for each linear foot of secondary tenant frontage or 10 percent of the area of the building façade on which the sign is mounted or painted, including the area of windows, doors, and recesses, whichever is less. The total area of all signs on a primary frontage shall not exceed 100 square feet and total area of all signs on a secondary frontage shall not exceed 50 square feet. Wall signs for second story tenants shall not exceed 12 square feet. Frontage is computed on an individual basis in multi-tenant buildings. Building frontage shall be measured along that side of the building for which the sign is proposed.
3. *Projecting, Canopy, or Suspended Signs.* The following specific design standards shall apply to projecting, overhead, and suspended signs.
 - a. *Sign Area.* A projecting sign shall not exceed 30 square feet. Signs that are suspended from a canopy or other roof structure over the sidewalk or building entrance shall not exceed 12 square feet. Projecting, canopy, and/or suspended signs shall count towards the maximum allowable sign area.
 - b. *Number of Signs.* Only one sign per use is allowed and shall only be allowed if the wall it is projecting from does not have any wall signs. (Exception: If a canopy is over the entrance to a use, a projecting sign may be allowed under the canopy at each entrance provided such sign does not exceed 8 square feet and the total projecting signage for the use does not exceed 30 square feet).
4. *Window Signs.* The following specific design standards shall apply to window signs.
 - a. *Sign Area.* Permanent window signs shall not occupy more than 25 percent of the total window area. Window sign area shall count towards the maximum allowable sign area.
 - b. *Sign Location.* Signs shall be allowed only on windows located on the ground level and second story of a structure frontage.
5. *Directional Signs.* Directional signs shall be no more than 3 feet high and 3 square feet. They are not limited by number or location.

6. *Awning Signs.* The following specific design standards apply to awning signs.
 - a. Limited to one awning sign per building entrance with an awning, not to exceed three awning signs per business.
 - b. Signs on awnings are limited to ground level or second story occupancies only.
 - c. Awnings, or awning signs shall not be internally illuminated. Direct exterior lighting may be allowed.

7. *A-Frame Signs.* The following specific standards apply to A-frame and other portable signs.
 - a. *Sign Area.* An A-frame sign must not exceed six (6) square feet in area on each side.
 - b. *Timing.* A-Frame signs must be removed at the end of each business day.
 - c. *Location.* A-frame signs must be located at ground level on-site of the business, not in the City right-of-way, they cannot block the sidewalk or interfere with traffic, either pedestrian or vehicular, and they must be anchored or weighted.
 - d. *Number of Signs.* One per business.

8. *Feather Banners.* Feather banners authorized by this Section are in addition to the maximum allowable signage which is otherwise permitted. Feather banners shall be maintained in good condition at all times, without faded, frayed or torn fabric. The following specific standards apply to feather banners.
 - a. *Location.* Feather banners may only be installed on private property and shall not extend over the public right-of-way. Minimum spacing between feather banners shall be 8 feet. Signs shall not create a traffic sight obstruction or other pedestrian or traffic hazard and shall comply with applicable engineering design standards.
 - b. *Height.* Maximum height for feather banners shall be the lesser of 15 feet or the height of the building.
 - c. *Number of Signs.* Two per business.
 - d. *Illumination.* Feather banners may not be illuminated.

9. *Commercial Mascots.* Commercial mascots authorized by this Section are in addition to the maximum allowable signage which is otherwise permitted. The following specific standards apply to commercial mascots.
- a. *Private Property.* No more than one commercial mascot may be allowed on private property per business location only within commercial zones.
 - b. *Public Property.* On public sidewalk areas during the daytime hours between sunrise and sunset, as specified by the United States Naval Observatory (USNO) data. Commercial mascots may not interfere with public ingress or egress or free use of sidewalks or public right-of-way. In order to serve the City's interests in traffic flow and safety, persons displaying signs on public sidewalks must give at least 3 feet width clearance for pedestrians to pass by. Persons holding signs may not block the view within the clear corner area. No more than one commercial mascot shall be allowed to occupy a street intersection corner area. No more than one commercial mascot shall be allowed for each business and the business must be within 300 feet from the location where the commercial mascot is performing. A 10 foot minimum separation shall be maintained between commercial mascots. The total sign area displayed shall not exceed 20 square feet. Sign display exhibits involving airborne signage shall not be permitted.
 - c. *Illumination.* Commercial mascots shall not utilize any form of illumination or lighting.
10. *Tourist Oriented Directional Signs.* Tourist oriented directional signs are allowed in all zones subject to design standards in Section 17.11.080 C of this Chapter.
11. *Subdivision Signs.* Subdivision signs are allowed in all zone and shall not exceed 32 square feet in size.
12. *Murals.* Murals shall be reviewed by the Planning Commission for consideration and approval at a noticed public hearing. The application shall include a detailed drawing or sketch of the mural plus other details as prescribed on the application form.
- a. In addition to the information requested on the form, the application shall include:
 - i. A list of the persons and addresses who own property within a three hundred-foot radius of the proposed mural, and accompanying radius map.

- ii. Written notice shall be mailed or delivered at least 10 days prior to the hearing to the applicant, if any, and to all persons, including , corporations, or other public or private entities, shown on the last equalized assessment roll as owning real property within three hundred feet of the proposed mural.
 - iii. . Notice shall be deemed given when deposited in the United States Mail, postage prepaid and addressed to the intended recipient at the address shown on the latest equalized assessment roll.
- b. In granting or denying approval, the Planning Commission shall consider extent to which the proposal fulfills the following standards:
- i. The mural shall demonstrate superior artistic quality or theme as opposed to direct or indirect illustrative advertising;
 - ii. The mural or graphic shall be designed to enhance or distinguish the architectural features of the structure on which it is placed;
 - iii. The design and colors used shall be harmonious with the surrounding environment and shall not be used for the exclusive purpose of calling attention to the mural or graphic;
 - iv. The mural shall not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic;
 - v. The proposed mural, by its design, construction and location, will not have a substantial adverse effect on abutting property or the permitted use thereof, and will contribute to the City's unique character and quality of life;
 - vi. The paint to be used and applied shall be appropriate for use in an outdoor locale, for an artistic rendition and shall be of a permanent, long-lasting variety;
 - vii. Possible historic value.

17.11.080 Freeway and Tourist Oriented Signs.

- A. Freeway oriented off-site signs may only be allowed in the Highway Overlay Zone with a sign installation permit subject to approval by the Planning Commission. If the freeway oriented and/or off-site sign is subject to the provisions of the Outdoor Advertising Act (Business and Professions Code Sections 5200 through 5486), the sign permit shall be contingent upon subsequent issuance of the permit that is issued by the Director of Transportation of the State of California, or his authorized agent. For freeway oriented and off-site signs located within Highway Overlay Zone, no sign shall be erected within five hundred feet of any other sign located on the same side of the highway. Freeway oriented and off-site signs may not exceed 60 feet in height and 600 square feet total area (excluding exempt signs) and no more than 200 square feet per business.
- B. *Digital display/Electronic Message signs.* Digital display/Electronic Message signs may be allowed pursuant to a sign installation permit subject to approval by the Planning Commission.
- C. Tourist Oriented Directional Signs shall be permitted in all zones subject to the following requirements.
 - 1. The signs shall be smaller in size, each not exceeding eight square feet in area or eight feet in height.
 - 2. The signs shall be non-illuminated in order to be compatible with their generally rural surroundings.
 - 3. The signs shall be subject to the issuance of an Encroachment Permit.

17.11.090 Temporary Signs.

- A. The signs authorized by this Section are in addition to the maximum allowable signage which is otherwise allowed for signage on a site.
 - 1. *Height:* Maximum height for freestanding temporary signs is 5 feet.
 - 2. *Number of Signs:* Unless otherwise stated, the maximum number of separate temporary signs is 4 for commercial, institutional or industrial zones, and 2 for residential, neighborhood conservation, agricultural or open space zones.
 - 3. *Location:* Signs shall not be located on public property. Signs in the corner clear zone shall not exceed 30 inches in height and shall not create a traffic sight obstruction hazard. Temporary signs shall not be posted on any tree, bush or other vegetation.
 - 4. *Time Period.*
 - a. *Non-residential Zones.* Temporary commercial message signs may be displayed for up to three separate periods per calendar year from 1 to 15 days each period, per use.

- b. *Residential, Agricultural, Open Space Zones.* Temporary commercial message signs may be displayed for up to three separate periods per calendar year from 1 to 15 days each period, per each lot.
- c. *Temporary Signs Displaying Protected Noncommercial Speech.* Temporary signage used to display protected noncommercial speech is allowed at all times, however the sum of commercial and noncommercial speech temporary sign display area(s) at any given point shall not exceed the maximum area permitted. Sign area is limited to 50 square feet per sign in commercial and industrial zones, and 30 square feet per sign in residential, institutional, agricultural, or open space zones.
- d. *Exceeding Time Allowance.* If the duration of temporary sign display of commercial messages exceeds the applicable maximum time period for temporary signs, then the sign shall be deemed permanent and the area thereof shall be counted against the allowable area for permanent signage for the site or lot. A sign permit must be obtained or the sign must be removed.

4. *Sign area.*

- a. *Commercial, Institutional or Industrial Zones.* The maximum allowable temporary sign area for a site, per time period, is the same as the allowable wall sign area. For the purposes of temporary sign area computation, the area of pennants, flags, streamers, whirligigs, and similar attention-getting devices not displaying written messages shall not be included.
- b. *Residential, Agricultural, Open Space Zones.* The maximum allowable temporary sign area is 6 square feet.

17.11.110 Enforcement.

- A. Any sign erected contrary to the provisions of this Chapter shall be unlawful and a public nuisance, which nuisance may be abated by the City, and the cost of abatement shall be made a lien or special assessment against the property upon which the sign is located. The City may order a sign removed from the public right-of-way at any time at no cost to the City for purposes of utilizing the right-of-way for any public purpose. In the event of emergencies or urgent circumstances, the Enforcement Officer may summarily remove a sign located in the public right-of-way without notice.
- B. With the consent of the owner or occupier of any building, structure or premises, or under an inspection warrant, and upon prior notice to the owner of the subject property, the Enforcement Officer may enter at all reasonable times any building, structure or premises in the City to investigate all purported violations of this Chapter and to otherwise take

such measures as are necessary and expedient to enforce and secure compliance with the provisions of this Chapter, and to perform any duty imposed by this Chapter.

- C. Any person, firm or corporation violating any provision of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided in Chapter 1.12. Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this chapter is committed, continued or permitted by such person, firm or corporation, and shall be punishable as provided in this Section.
- D. Violations of this Chapter may be remedied by civil and/or administrative procedures, as authorized by City or State law.
- E. The remedies provided for in this Chapter shall be cumulative and not exclusive.

17.11.120 Non-Conforming Signs

A. General Requirements:

1. A nonconforming sign shall not be:

- a. Changed to another nonconforming sign.
 - b. Structurally altered to extend its useful life.
 - c. Enlarged.
 - d. Re-established after a business is discontinued for 90 days or after damage or destruction exceeding 50 percent of the replacement cost of the sign immediately before the damage or destruction, or its components, as determined by the Building Official.
 - e. Reinstalled after façade improvements that require the removal of the sign during construction.
2. An interruption in the use of a nonconforming sign that continues for 90 days or more shall be deemed an abandonment of the sign. Subsequent use shall comply with this Chapter. Non-occupation or non-operation of the building or business advertised on the sign shall be deemed an interruption of the use of the sign.

B. Exemptions. Any sign covered by a Comprehensive Sign Package previously approved by the City is not subject to the requirements and limitations of this Section.

C. Removal of Nonconforming Signs. A nonconforming sign shall be removed if the sign is: - 1. More than 50 percent destroyed, and the destruction is other than facial copy replacement. A nonconforming sign shall be deemed to be more than 50 percent destroyed if the estimated cost of reconstruction or repair exceeds 50 percent of the replacement cost as determined by the Building Official.

2. Remodeled, unless the sign is remodeled to comply with this Chapter.
 3. Located on a structure that is enlarged or expanded, if the nonconforming sign is affected by the construction, enlargement, expansion, or remodel. An enlargement, expansion or remodel of the portion of the structure upon which the nonconforming sign is located or that is more than 50 percent of the building area shall be deemed to affect the nonconforming sign.
 4. The nonconforming sign is temporary
- D. *Continuance of Nonconforming Signs.* Except as provided in Subsection C (Removal of Nonconforming Signs) above, a nonconforming sign may be continued and shall be maintained in good condition as required by this Chapter, but it shall not be:
1. Structurally changed to another nonconforming sign, although its copy and pictorial content may be changed. "Customary maintenance" as defined in the Outdoor Advertising Act shall be allowed.
 2. Structurally altered to prolong the life of the sign, except to meet safety requirements.
 3. Altered or expanded in any manner that increases the degree of nonconformity.
- E. *Repairing and Repainting.* Nonconforming signs shall only be painted and repaired in place and shall not be removed from their existing location, except for building remodeling, unless removal of the sign for painting or repair is part of the sign's customary maintenance and repair.
- F. *Change of Business Ownership.* Upon a change of ownership, the new owner of a nonconforming sign may change the sign copy so long as there is no change in the structure or configuration of the sign.

17.11.130 Signs on Public Property

- A. In adopting this Section the City Council acts in its proprietary capacity as to City property. This Section states City policies and rules for the display of signs on City property.
- B. *Intent as to Public Forum.* The City declares its intent that all public property shall not function as a designated public forum for sign display, unless some specific portion of public property is designated herein as a public forum of one particular type; in such case the declaration as to public forum type shall apply strictly and only to the specified area and the specified time period. Such specific areas shall be defined by resolution.

- C. *General Prohibition.* Unless a specified sign type is exempt from the permit requirement, private persons may display signs on public property only after obtaining a sign permit. Any permit application which is denied is appealable to the Planning Commission in accordance with the provisions in Section 17.05.260.4 of this Code. A decision by the Planning Commission is appealable to the City Council in accordance with the provisions in Section 17.05.280.7 of this Code.
- D. *Temporary Inanimate Signs in the Public Right-of-way.* Temporary signs displaying any type of variety of constitutionally protected noncommercial speech may be displayed by private persons up to 60 days prior and 5 days after the referenced event. Such sign display by private persons is subject to a sign permit and the following rules:
1. *Sign Area.* The maximum allowable sign area is 6 square feet per sign (measured on both sides.)
 2. *Height.* Maximum height of freestanding signs is 5 feet.
 3. *Posting On Structures.* All signage within the public right-of-way shall be self-supporting and freestanding. No temporary sign shall be posted on any streetlight, utility pole, post, pole, or structure supporting a traffic control sign or signal, fire hydrant, or similar structures in the public right-of-way.
 4. *Safety of Placement.* Temporary signs posted in the public right-of-way shall meet the following criteria:
 - a. When located in the Corner Clear Zone, the sign shall not exceed 30 inches in height.
 - b. Signs shall not obstruct a motorist's view of pedestrian or vehicular traffic, traffic-control signs, or signals, or otherwise represent a hazard to vehicular or pedestrian traffic.
 - c. Signs shall not impede a pedestrian's free use of the sidewalk.
 - d. Signs shall be securely affixed to the property on which they are placed.
 - e. Signs shall not be placed in the center of public roadway medians.
 5. *Sign Removal.* Temporary signs shall be removed from the public right-of-way not later than the removal date indicated in the sign permit application.

