

ARTICLE 5: SIGN REGULATIONS

§ 9-5.501 SIGN CODE.

This article shall be known as the Sign Code of the city.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.502 PURPOSE.

(A) *Intent and objectives.* The purpose of this article is to protect and promote the public health, safety, and general welfare of the city and to achieve the following objectives:

(1) To carry out the goals of the General Plan of the city;

(2) To promote strong commercial and industrial centers and maintain property values therein by the effective communication of the nature of the goods and services and the avoidance of wasteful and unsightly competition in signing;

(3) To protect and enhance the character of residential neighborhoods, open view and vistas therefrom, and property values therein, by avoiding obtrusive and incompatible signs, and by promoting proper transitions with nonresidential areas; and

(4) To improve the visual appearance of streets and the image of the city.

(B) *Illustrations.* Illustrations relating to signs are on file in the office of the City Planner for reference only and shall not be deemed to define, modify, or construe any part of the text this article.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.503 RELATION TO OTHER PARTS OF CODE.

The provisions of this article shall be supplemental to the Sign Code of the city, as set forth in Chapter 6 of Title 8 of this Code, and to other provisions of this chapter relating to signs, and any term not defined in this article shall have the same definition and meaning as set forth in Chapter 6 of Title 8 of this Code or in this chapter.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.504 PERMITS.

(A) *Conformance requirements.* Except as otherwise provided in Chapter 6 of Title 8 of this Code, no person shall place or erect any sign regulated by the provisions of this article unless he first obtains a permit as required by the provisions of Chapter 6 of Title 8 of this Code and unless such sign conforms to the provisions of said Chapter 6 and of this article.

(B) *Minimum clearance.* Notwithstanding any other provision of this article, no sign shall be constructed, erected, installed, maintained, or repaired in any manner which conflicts with any rule, regulation, or order of the Public Utilities Commission of the state which relates thereto.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.505 SIGN TYPES AND DEFINITIONS.

For the purposes of this article, certain terms and words are classified and defined as follows:

(A) *Classification by sign content.* The following terms, words, and definitions comprise a comprehensive listing of signs

differentiated by content. Any sign which is not expressly listed shall be considered to be included within the definition (with the most similar characteristics) which describes its content:

(1) **ACCESSORY SIGN.** A sign which, separately from a business identification sign, announces or advertises a product, commodity, or service incidentally offered or provided on the premises. **ACCESSORY SIGN** shall also include a sign announcing or advertising a rating or special status of the business conducted upon the premises.

(2) **ADVERTISING SIGN.** A sign which directs attention to a business, profession, commodity, service, or entertainment which is conducted, sold, or offered at a location other than on the same lot or parcel upon which the sign is located.

(3) **BUSINESS IDENTIFICATION SIGN.** A sign which identifies, announces, endorses, or provides directions or other necessary information about the principal business, industry, profession, product, service, or entertainment conducted or offered upon the lot or parcel where the sign is located.

(4) **CIVIC SIGN.** A sign which identifies or states the location of, describes the services available or performed upon, describes the function of and the activities conducted upon, or states the conditions or uses of premises or facilities used, maintained, or owned by a governmental entity, educational institution, society or association, religious society or association, church, recreation society or association, medical institution, group or society, or public utility.

(5) **DEVELOPMENT SIGN.** A sign of a temporary nature which announces the anticipated sale, lease, or rental or the character of facilities being constructed or altered or which identifies persons or firms engaged in the promotion, design, construction, or alteration thereof.

(6) **DIRECTIONAL SIGN.** A sign which directs, facilitates, or controls the movement of pedestrians or vehicles. **DIRECTIONAL SIGN** shall also include a sign which identifies by name or symbol the entrance to some form of development complex.

(7) **POLITICAL SIGN.** A sign which is designed to influence the action of the voters for the passage or defeat of a measure appearing on the ballot at any national, state, or local election or which is designed to influence the action of the voters for the election or defeat of a candidate for nomination or election to any public office at any national, state, or local election.

(8) **REALTY SIGN.** A sign of a temporary nature which pertains to the sale, lease, rental, or display of an existing lot, building, or other property.

(9) **RESIDENTIAL SIGN.** A sign on a lot or parcel showing the name or address of the residential facility or structure located thereon and/or the name of the residents residing there.

(B) *Classification by physical type.* The following terms, words, and definitions comprise a comprehensive listing of signs differentiated by physical type or means of support. Any sign which is not expressly listed shall be considered to be included within the definition (with the most similar characteristics) which describes the physical type:

(1) **AWNING SIGN.** Any sign attached to or painted on an awning. **AWNING** shall mean a rigid or movable shelter supported entirely from the exterior wall of a building and of a type which may be retracted or folded against the face of the supporting building.

(2) **BANNER or PENNANT SIGN.** Any display of three signs or less which are painted or printed on lightweight flexible material and hung from a staff or other device by ropes, wires, or similar means.

(3) **FREESTANDING SIGN.** Any sign standing directly on the ground or attached to any support other than a building, whether or not the principal purpose of such support is to display the sign, or any sign affixed to a freestanding canopy when such canopy has a roof area of less than 200 square feet.

(4) **GROUND SIGN.** Any freestanding sign with a maximum height of eight feet.

(5) **PROJECTING SIGN.** Any sign, other than a wall, roof, or marquee sign, which is supported by a building and projects outward therefrom or which is attached to the top, except for the edge, of a marquee.

(6) **ROOF SIGN.** Any sign, other than a wall or projecting sign, which stands directly on the roof of a building, or the parapet wall of a building, or on a freestanding canopy or similar structure with a roof area of 200 square feet or more.

(7) **THEATER MARQUEE SIGN.** An on-site sign attached to a canopy, porch, or similar covering structure, other than an awning, which projects more than 18 inches from the building to which it is attached and the purpose of which is to advertise or promote a theater use.

(8) **WALL SIGN.** Any sign posted or painted on, suspended from, or otherwise affixed in an essentially flat position to the wall of a building or the wall of a pylon, tower, or similar structure which may project above the roof of the building but which is structurally and architecturally a part of such building.

(9) **WIND SIGN.** A display of more than three streamers, pennants, whirligigs, or similar devices made of flexible lightweight material, strung together or attached in such a manner as to move by wind pressure.

(10) **WINDOW SIGN.** Any sign which is posted or painted on or otherwise affixed to a display window or any sign placed within four feet of a window and which is visible through a display window. Window signs of up to four square feet shall be allowed for store hours and identification purposes without deducting from the square footage allowed for the use by the provisions of this article. Any window sign in excess of four square feet shall be considered in the calculation to derive the overall square footage of signs.

(C) *Classification by characteristics.* The following terms, words, and definitions are a noncomprehensive listing of sign characteristics pertaining to duration, operation, and design:

(1) **FIXED ILLUMINATION SIGN.** Any sign illuminated by means of electricity, luminous tubes, gas flames, or similar sources when such illumination is maintained constant in intensity, color, and pattern during all periods of illumination.

(2) **FLASHING ILLUMINATION SIGN.** Any sign illuminated by means of electricity, luminous tubes, gas flames, or similar sources when such illumination is not maintained constant in intensity, color, and pattern during all periods of illumination.

(3) **MOVING SIGN.** Any sign in or on which any visible portion rotates or moves in any way.

(4) **TEMPORARY SALE SIGN.** Any sign, other than a realty development sign, which announces a special sale or offering of a commodity or service produced or rendered on the premises where the sign is located and where such sale, commodity, or service is of a limited duration and the sign itself is removed at the end of such sale or offering.

(D) *Other definitions.* As used in this article, the following terms shall have the meanings and definitions set forth:

(1) **DISPLAY AREA.**

(a) For wall, marquee, and awning signs, the "display area" is the area of the smallest geometric figure enclosing the outer limits of the writing, representation, emblem, or similar form of communication.

(b) For freestanding, roof, projecting, and banner or pennant signs, the "display area" is the entire sign, exclusive of uprights or other structural members, except that where a freestanding, roof, or projecting sign has two faces back-to-back which are approximately in parallel planes not more than 30 inches apart and exactly identical in size, the "display area" is the area of one face only. Where such signs have multiple sides or faces, including signs in the form of cylinders, spheres, or other types of three-dimensional figures, the entire surface is the "display area."

(2) **DOWNTOWN DISTRICT.** The area in the city bounded on the north by the San Joaquin River (including the waterfront); on the east by E Street; on the south by Fourth Street; and on the west by J Street.

(3) **PARCEL.** All contiguous land held in one ownership or under one management as indicated in the records of the County Assessor, except that if such land is divided by an existing or proposed public right-of-way, each division shall be a separate parcel.

(4) **SHOPPING CENTER.** Five or more stores on a plot of ground at least 30,000 square feet in area with integrated off-street parking which meets the parking standards.

(5) **SIGN.** In addition to the other definitions contained in this article, **SIGN** shall mean any writing, pictorial representation, symbol, registered trademark, flag, or any similar figure used to identify, announce, direct attention, advertise, or communicate, together with any material or color forming an integral part of the display or used to differentiate the sign from the background, which sign is located on or outside a building, is on the inside face of a display window, or is located within four feet of a display window and is visible from outside a building.

(6) **STREET FRONTAGE.**

(a) The portion of a property line separating a lot or parcel from a permanently reserved thoroughfare, which frontage affords the principal means of egress and ingress, including side streets, but not including alleys.

(b) A lot or parcel shall be considered to have two or more street frontages if the property line abuts two or more separately designated, permanently reserved thoroughfares which afford the principal means of egress and ingress, including side streets, but not

including alleys.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.506 NONCONFORMING SIGNS.

(A) *Permitted continuance.* Nonconforming signs lawfully existing on July 26, 1973, may be maintained without being made to comply with the requirements of this article, except as otherwise provided in this article.

(B) *Conformance.* All paper, cloth, or other temporary type signs on fences and buildings (including A-frames) shall be removed on or before August 25, 1973. Any other nonconforming sign associated with an existing business shall be brought into conformity with the provisions of this chapter immediately in any of the following instances:

(1) For a change in the type of business;

(2) For any change in signing; or

(3) In any case where the damage to an existing sign exceeds 75% of its replacement value. Ordinary maintenance and repairs may be made to an existing nonconforming sign provided such work does not exceed 15% of the replacement cost of the sign in any one-year period.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.507 NONCURRENT, ABANDONED, OR UNSAFE SIGNS.

(A) Any sign, including its supporting structure, which, for a period of six months, does not identify the current occupant or products currently sold, or which otherwise fails to serve its original purpose, shall be deemed a public nuisance and be removed by the owner of the property upon 30 days' written notice by the Department of Development Services.

(B) Any sign which, in the opinion of the Department of Development Services, is unsafe or insecure shall be deemed a nuisance and shall be corrected or removed, together with any supporting structure, by the owner of the property upon which the sign is located within 30 days after notice in writing by the Department of Development Services.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.508 GENERAL REGULATIONS.

Signs, billboards, and advertising structures may be erected and maintained in the districts where such uses are permitted after having secured approval of the location, size, and design of such sign, billboard, or advertising structure, subject to the following conditions:

(A) *Roof signs.*

(1) The maximum height of a roof sign shall not exceed six feet above the finished roof line. In no event shall it exceed the height permitted in the district.

(2) The length of a roof sign shall not exceed one-third of the width of the building parallel to the sign nor one-fourth of the diagonal of the two sides of the building for nonparallel signs. Signs placed diagonally on a building may have a length equal to one-fourth of the diagonal. (Diagonal signs shall have a minimum angle of 30 degrees.)

(3) All roof signs and sign supports shall be constructed of fireproof materials in accordance with the standards of the Uniform Building Code.

(4) The supporting members of a roof sign shall appear to be an integral and architectural part of the building and any bracing, if required, shall be minimized.

(B) *Freestanding signs.*

(1) *Number.*

(a) Freestanding signs shall only be permitted on parcels having at least 150 lineal feet of street frontage and a minimum building setback of 20 feet on the same street.

(b) A shopping center may be allowed one freestanding sign only.

(2) *Height.*

(a) The maximum height shall be 25 feet, except as permitted for freeway-oriented signs as set forth in division (C) of this section.

(b) For every five feet of sign setback, one additional foot in height shall be permitted, to a maximum of 35 feet.

(3) *Landscaping.* The base or ground area upon which a freestanding sign is erected shall be landscaped and contain an area of at least 100 square feet.

(C) *Freeway-oriented signs.*

(1) No roof or freestanding sign may be constructed, placed, designed, or used for freeway exposure, except to designate the name of the owner or occupant of the premises upon which it is located or to identify such premises. A sign with no minimum footage requirement may be erected to be viewed primarily by persons traveling on such freeway when such sign is within 300 feet of any existing or adopted freeway right-of-way. However, the sign shall comply with the provisions of division (B)(1)(a) of this section. The maximum height shall be 25 feet.

(2) In no event shall elevated freeway signs exceed a height of more than 25 feet above the freeway grade, measured at such freeway center line, or a maximum height of 45 feet from ground level, whichever is less.

(D) *Signs projecting over public property.* Signs projecting over public property shall be permitted only in the Downtown District and shall be in accordance with the following:

(1) Only 25% of the allowable sign area may be used.

(2) The height shall be at least eight feet and not more than 12 feet above a sidewalk.

(3) The sign shall not project more than three feet over a sidewalk area nor have an area in excess of six square feet.

(4) Identification signs may be painted on the sides or face of an awning.

(5) Identification signs consisting of painted or cutout letters may be attached to the sides or face of a marquee.

(6) The area of any sign permitted by this division (D) shall be counted against the allowable sign area for the use to which it pertains.

(7) All signs projecting over public rights-of-way shall be subject to approval by the Design Review Board as to design, degree of projection, and such other matters as the Board deems pertinent.

(E) *Illumination.* No illuminated sign shall be permitted in the R-1, R-2, R-3, R-4, or P-D Districts, except house identification or church bulletin boards and one indirectly illuminated sign for an apartment, church, or mobile home park if street frontage requirements are met.

(F) *Obstructions.*

(1) Signs shall not obstruct or prevent free ingress or egress from fire escapes, doors, or windows required by the Uniform Building Code.

(2) No sign shall be attached to a standpipe, gutter, drain, or fire escape.

(3) No sign regulated by the provisions of this article shall be erected at any location where such sign will obstruct the view of, or conflict with, an authorized traffic sign, signal, or device, nor shall a sign obstruct the view of traffic.

(G) *Proximity to power and telephone lines.* No part of any sign shall be erected or maintained nearer to an existing or proposed power or telephone line than is permitted by the rules and regulations of the Public Utilities Commission of the state.

(H) *Flashing signs.* Flashing, scintillating, and similar signs may be erected only in the Downtown District and then only with the approval of the Design Review Board as to design, color, degree of flashing, and the like.

(1) Applications for flashing signs shall be submitted to the Department of Development Services, accompanied by colored

drawings to scale adequate to reflect the operating details of the proposed sign.

(2) The Design Review Board shall review the application at its next regularly scheduled meeting and may approve, deny, or conditionally approve the application.

(3) Any person aggrieved by the decision of the Design Review Board may appeal in writing to the Commission, and the appeal shall be heard at the next scheduled Commission meeting.

(I) *Rotating signs.* Rotating signs shall be limited to a maximum of eight revolutions per minute and to the trademark or the trade name of a business conducted on the premises and shall be subject to review by the Design Review Board.

(J) *Time and temperature signs.* Signs constructed for the purpose of providing a public service by indicating the time and/or temperature shall be subject to review by the Design Review Board.

(K) *Banners and advertising devices.* Temporary advertising signs, banners, flags, and advertising devices other than balloons may be placed at a site for a maximum of ten consecutive days per calendar quarter with an administrative permit issued by the city. Advertising balloons may be permitted at automobile dealerships for a maximum of ten days per calendar quarter with an administrative permit issued by the city. Additionally, nonprofit and public agencies may also utilize advertising balloons with an administrative permit issued by the city. The use of banners and flags at automobile dealerships may be allowed without any time restrictions subject to an administrative permit. "Automobile dealer" as used in this section shall mean a vehicular sales establishment consisting of at least two acres.

(L) *Prohibited signs.* The following signs shall be prohibited, except where otherwise permitted by the provisions of this article:

(1) Off-site signs, except as provided by this article;

(2) On-site signs, either temporary or permanent, where placed within, upon, or over any public street right-of-way, parking area, sidewalk, required landscaping or utility pole;

(3) No person shall park any vehicle within a public right-of-way or in a location on private property which is visible from a public thoroughfare which vehicle has attached thereto or suspended therefrom any commercial advertising sign, except a sign painted directly upon or permanently affixed to the body or other integral part of the vehicle for permanent decoration, identification, or display. The provisions of this division shall not apply to "bumper sticker" type signs, nor to "for sale" signs applicable only to the vehicle upon which the sign is located;

(4) Signs on public property, except as otherwise provided in this article; and

(5) Signs erected on private property without the permission of the owner of the property or his authorized agent.

(M) *Exempt signs.* Signs required by law shall be exempt from the provisions of this article.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.509 RESIDENTIAL DISTRICTS.

(A) *Legal nonconforming uses.* One nonilluminated wall-mounted sign not exceeding 12 square feet in area shall be permitted as accessory to a legal nonconforming use in a residential area.

(B) *R-1, R-2, R-3, R-4, and P-D Districts.*

(1) *Residential district signs.* No flat sign, projecting sign, billboard, bulletin board, or other advertising device shall be erected in any residential district of the city; provided, however, the provisions of this division shall not prevent persons from placing signs on the inside of windows on premises in residential districts denoting approved uses pursuant to the provisions of the zoning laws of the city; and provided, further, churches and quasi-public organizations may affix display signs or billboards on premises when the display devices do not exceed 20 square feet in area, are constructed of wood, and have been approved by the City Planner; and provided, further, signs denoting duly licensed rummage and garage sales may be maintained in a size and manner as set forth in division (B)(2) below.

(2) *Residential district rummage and garage sale signs.* The provisions of this article shall not be deemed to prohibit the fixing of signs on real property in residential districts advertising duly licensed rummage and garage sales when in compliance with the following:

(a) Temporary signs shall not exceed four square feet and shall be limited to on-site signs.

(b) Such signs shall not be attached to any utility pole, fence, tree, other vegetation, or upon any public right-of-way.

(c) Such signs denoting duly licensed rummage and garage sales shall be removed within one day after the time of the conclusion of the sale.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.510 PROFESSIONAL OFFICE DISTRICT (C-O).

(A) *Maximum sign area.* The maximum allowable sign area shall be one square foot for each lineal foot of primary building frontage. In the case of a corner lot, an additional one-half square foot for each foot of secondary frontage shall be permitted. The maximum allowable sign area shall be 200 square feet.

(B) *Signs permitted.* The following signs shall be permitted:

- (1) Wall signs;
- (2) One under-canopy sign if the street frontage requirements are met;
- (3) Ground signs; and
- (4) Window signs.

(C) *Sign characteristics.* All directly, indirectly or interior illuminated wall signs shall be reviewed by the Department of Development Services prior to the issuance of a permit therefor.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.511 CONVENIENCE COMMERCIAL (C-1).

(A) *Maximum sign area.* The maximum allowable sign area shall be two square feet for each lineal foot of building frontage, with a maximum sign area of 200 square feet.

(B) *Signs permitted.* The following signs shall be permitted:

- (1) Wall signs;
- (2) Freestanding signs;
- (3) Ground signs;
- (4) Under-canopy signs;
- (5) Window signs; and
- (6) Temporary sale signs.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.512 NEIGHBORHOOD/COMMUNITY COMMERCIAL.

(A) *Maximum sign area.* The maximum allowable sign area shall be as follows:

(1) Two square feet for each lineal foot of primary building frontage. In the case of a corner lot or a parcel where the building or buildings are designed for more than one occupancy to front a parking facility for joint use, an additional one square foot for each foot of secondary building frontage shall be permitted. The maximum allowable sign area shall not exceed 300 square feet; and

(2) A shopping center may be allowed an additional 200 square feet of signing on a freestanding sign for shopping center identification.

(B) *Signs permitted.* The following signs shall be permitted:

- (1) Wall signs;
- (2) Freestanding signs;
- (3) Roof signs;
- (4) Ground signs;
- (5) Under-canopy signs;
- (6) Window signs;
- (7) Theater marquee signs approved by the Design Review Board; and
- (8) Temporary sale signs.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.513 SERVICE COMMERCIAL (C-3) AND REGIONAL COMMERCIAL (C-4) DISTRICTS.

(A) *Maximum sign area.* The maximum allowable sign area shall be as follows:

(1) Two square feet for each foot of lineal building frontage. In the case of a corner lot or a lot where the building or buildings are designed for more than one occupancy to front a parking facility for joint use, an additional one square foot for each foot of secondary building frontage shall be permitted. The maximum allowable sign area shall not exceed 400 square feet; and

(2) A shopping center may be allowed an additional 200 square feet of signing on a freestanding sign for shopping center identification.

(B) *Signs permitted.* The following signs shall be permitted:

- (1) Wall signs;
- (2) Roof signs;
- (3) Freestanding signs;
- (4) Ground signs;
- (5) Under-canopy signs;
- (6) A freeway-oriented sign, subject to Design Review Board approval;
- (7) Downtown District signing as set forth in this article;
- (8) Window signs;
- (9) Theater marquee signs approved by the Design Review Board; and
- (10) Temporary sale signs.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.514 INDUSTRIAL DISTRICTS (M-1 AND M-2).

(A) *Maximum sign area.* The maximum allowable sign area shall be as follows:

- (1) Two square feet for each lineal foot of building frontage; and
- (2) Not to exceed 200 square feet.

(B) *Signs permitted.* The following signs shall be permitted:

(1) Wall signs;

(2) Ground signs; and

(3) Symbols. An additional 25 square feet shall be permitted above the maximum allowable area when reviewed and approved by the Design Review Board.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.515 ADVERTISING SIGNS.

(A) (1) *Subdivision signs.* Signs advertising a residential subdivision shall be classified as either "off-site" or "on-site" installations.

(a) *Definitions.*

1. "Off-site sign" shall refer to a directional sign representing a subdivision located on a property other than that which the sign is located on.

2. "On-site sign" shall refer to a sign identifying a subdivision located on the same property as the sign.

(2) *Off-site subdivision directional signs.*

(a) *Design standards.*

1. All off-site subdivision signs must be placed on a city-approved directional sign structure as depicted in Exhibit "A" attached to the ordinance codified in this section and found on file in the office of the City Clerk.

2. Each sign structure shall not exceed a height of 12 feet when measured from top of grade. When the sign structure is located adjacent to a residential fence or wall, then the maximum height shall not exceed two feet above the top of the wall.

3. Sign structures shall be painted a consistent color scheme, which shall be reviewed and approved by the city's Design Review Board.

4. The ground within a three-foot radius of the sign structure shall be paved, covered, or maintained in such a manner as to prevent weed growth under the structure.

5. Individual signs on the approved sign structures shall be no greater than 18 inches by 48 inches in size and feature a uniform background color. No more than seven signs shall be allowed on each sign structure and the lowest sign shall be a minimum of two feet above grade.

6. An area measuring 12 inches by 36 inches shall be reserved on each individual sign for advertising copy, which may include the subdivision name, the developer, and a logo. Individual signs shall be allowed various compatible colors on a uniform background and shall be consistent with the marketing colors used to advertise the subdivision.

7. A directional arrow measuring six inches by 12 inches shall be shown on each individual sign as depicted in Exhibit "A" attached to the ordinance codified in this section and found on file in the office of the City Clerk, and shall be located on the side of the sign closest to the street right-of-way.

8. Illumination of directional signage shall be prohibited.

9. Modifications to the design of the directional sign will require review and approval by the city's Design Review Board.

(b) *Locations.*

1. The general location of permitted sites for off-site subdivision signs is shown in Exhibit "B" attached to the ordinance codified in this section and found on file in the office of the City Clerk, and these sites will be indicated on the Master Off-Site Sign Map. Exact sign structure locations on these sites shall be determined administratively by the city so the sign structures create an attractive streetscape. Additional locations may be approved by the Design Review Board if it is determined that they are necessary in order to achieve adequate subdivision identification.

2. The written consent of the property owner must be furnished with the city building permit application for the sign structure.

3. More than one directional sign structure may be located at any one approved site, subject to Design Review Board review and approval.

(c) *Administration.*

1. All existing off-site subdivision signage must be removed within 60 days of Council adoption of the ordinance codified in this section or the city shall have the right to remove nonconforming signs at the expense of either the advertised subdivision's developer and/or the sign company responsible for the sign.

2. Each sign structure shall require a city building permit. Individual signs shall be subject to city administrative review and approval before placement on the structures to determine exact locations.

3. No more than six individual signs shall be used to advertise a single subdivision except in the case where the subdivision is located a substantial distance from Highway 4 in which case eight signs will be the standard. Exceptions shall be subject to city administrative review and approval. In no case shall a single subdivision be allowed more than one individual sign at each location.

4. Individual signs may not be modified to identify a different subdivision without first obtaining administrative approval from the city.

5. Sign structures shall be allowed for a period of five years, at which time a renewal may be requested based on the need for the structure to remain.

6. Individual signs shall be allowed on the sign structures until the model home complex for the subdivision has been closed.

7. It shall be the responsibility of each management company to ensure that the sign structures under its control are well-maintained and not allowed to become unsightly. Noncompliance will be reported to the respective management company for correction within 14 days and if the situation is not improved, the city shall have the right to remove the sign structure at the management company's expense.

8. A refundable cash deposit in the amount to be determined by the City Engineer but not to exceed \$200 per sign shall be posted with the city in order to ensure removal of off-site signage within 14 days of the closing of the subdivision's model home complex. If the signage is not completely removed within the 14-day period stipulated above, the city shall have the right to remove the signage and deduct the cost of removal from the cash deposit. Additional removal costs shall be charged to the developer.

9. No more than two building permits for individual sign structures shall be issued to any single sign company. More than two sign structure building permits may be issued to a sign company collaborative that represents a majority of the sign companies that as of June 1, 1990, had subdivision sign structures in the city. Provisions of this division shall expire 90 days after adoption of the ordinance codified in this section.

(3) *On-site subdivision signs.*

(a) *Design standards.*

1. One on-site subdivision marketing sign can exceed 50 square feet if it is determined by staff that additional square footage is necessary to assure adequate visibility. The maximum square footage for any additional on-site signage shall not exceed 50 square feet per sign.

2. No on-site subdivision sign, except those in a model home area, shall be illuminated unless the sign has an area of not more than eight square feet and is used to advertise individual homes within the model home display area.

3. Signs on trailers or similar structures shall not be permitted.

(b) *Location.*

1. No on-site signage shall be located in such proximity to any intersection that the sign will interfere with traffic visibility.

2. The number of on-site signs allowed shall be determined by the Planning Director or designated representative based on the need for adequate visibility and traffic flow in the subdivision.

(c) *Administration.*

1. All on-site subdivision signs shall require approval by the Planning Director or designated representative.

2. All on-site signs shall be allowed until the model home complex for the subdivision is closed.

3. A refundable cash deposit in an amount to be determined by the City Engineer but not to exceed \$200 per sign shall be posted with the city in order to ensure removal of on-site signage within 14 days of the closing of the subdivision's model home complex. If the signage is not completely removed within the 14-day period stipulated above, the city shall have the right to remove the signage and deduct the cost of removal from the cash deposit. Additional removal costs shall be charged to the developer.

4. It shall be the responsibility of each developer to ensure that the sign structures under its control are well-maintained and not allowed to become unsightly. Noncompliance with this requirement will be reported to the developer for correction within 14 days and if the situation is not improved, the city shall have the right to remove any noncomplying signage at the developer's expense per division (A)(3)(c)3. above.

(B) *Advertising signs.* Notwithstanding any other provision of this chapter, the City Council shall have the discretion to enter into any contractual relationship or franchise agreement with any individual or organization for the provision of bus shelters which may feature advertising signs. Such signs shall be exempt from the regulations contained in this chapter, but shall be regulated by the terms of the contractual agreements or franchise. The City Council finds, in adopting this section, that advertising signs are commonly found in bus shelters, and thus are an exception to its other regulations which generally prohibit advertising signs from being displayed in the public right-of-way.

(C) *Billboards.* **BILLBOARD** shall mean an advertising sign containing more than 50 square feet, which signs shall be permitted in the C-3, M-1, and M-2 Zones with a use permit.

(D) *Realty signs.* The provisions of this article shall not be deemed to prohibit the fixing of signs on real property advertising such property for sale or lease when in compliance with the following:

(1) *For sale and for lease signs.*

(a) One temporary sign not exceeding four square feet in residential districts and 12 square feet in other districts shall be permitted. However, in commercial districts where a parcel has 100 lineal feet or more fronting on each of two or more streets, one sign of up to 12 square feet placed on each frontage shall be permitted.

(b) One accessory sign (rider) not to exceed six inches by 24 inches shall be permitted to be attached to the for sale/lease sign denoting the agent's name, swimming pool, warrant, and the like.

(c) A "sold" sign may be attached to the face of the for sale sign when the property has been sold.

(d) Such signs shall be removed within one week after the sale or lease of the property.

(e) Such signs shall not be located in the public right-of-way.

(f) A-frame signs shall not be permitted.

(2) *Open house signs.*

(a) Such signs shall be A-frame only and not to exceed four square feet per sign face.

(b) Such signs shall be limited to three per sales unit.

(c) Such signs may be displayed on Saturdays, Sundays, and holidays only between the hours of 9:00 a.m. to dusk. No sign shall be left overnight.

(d) Off-site signs shall be located no further from the property advertised than the closest major thoroughfare intersection, the latter to be determined by the Department of Development Services.

(e) Off-site signs shall be located only on private property and then only with the owner's written permission.

(f) Such signs shall not be attached to any utility pole, fence, tree, or other vegetation or upon any public right-of-way.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.516 SERVICE STATIONS.

(A) *Maximum sign area.* The maximum allowable sign area shall be 150 square feet.

(B) *Signs permitted and prohibited.*

(1) Signs shall be permitted as provided for in each zoning classification which permits service station uses, except as provided in this article.

(2) No sign shall face or be placed in any residential street providing secondary access to such service station use.

(3) No sign shall be attached to light standards.

(4) Two permanent reader panels for the purpose of designating the price of gasoline shall be permitted.

(5) In the event a service station is adjacent to or across from residential uses, the following sign limitations shall prevail:

(a) One freestanding sign not exceeding a height of 15 feet shall be permitted. The supports for such sign shall be placed on the major street frontage.

(b) Rotating signs shall be permitted subject to the approval of the Design Review Board.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.517 HISTORICAL SIGNS.

Any sign which may be of historical value, at the request of the Council, Planning Commission, Design Review Board, Zoning Administrator, staff, or an interested citizen, shall be referred to and reviewed by the Civic Historical-Cultural Committee for its recommendation to the Design Review Board. The Design Review Board shall make the determination of whether the sign is of historical value. If it is determined the sign is of significant historical value to the city, it may be excepted from the provisions of this article.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.518 TEMPORARY SIGNS.

(A) *Temporary sign defined.* **TEMPORARY SIGN** shall mean any sign, handbill, or poster which is placed to advertise or announce a specific event, or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently. Examples of temporary signs include, but are not limited to, signs, handbills, or posters relating to garage sales, political candidates or ballot measures, concerts, "swap meets," and the like.

(B) *Legislative findings.* The Council finds as follows:

(1) Aside from this section, temporary signs are not regulated by this article and are therefore not subject to design review or approval as to their size, shape, color, design, or placement. The lack of regulation of temporary signs has in the past led to visual clutter within the community and aesthetic blight. At times, temporary signs pose traffic safety hazards.

(2) Property and facilities located within the public right-of-way, such as utility poles, benches, hydrants, bridges, sidewalks, and similar structures, are not by tradition or designation a forum for communication by the general public, and the Council wishes to preserve such structures for their intended purposes, which is the safe, efficient, and pleasant movement of vehicular and pedestrian traffic and the operation of utility systems.

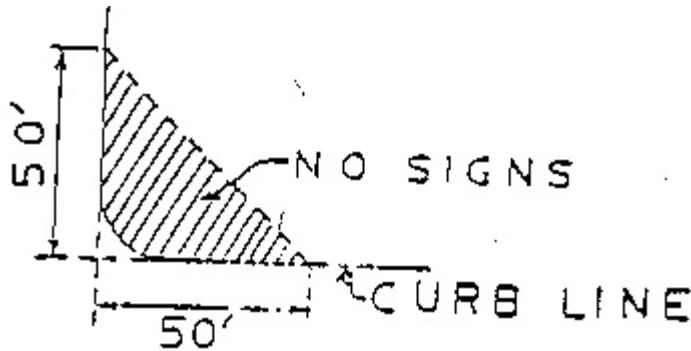
(3) The regulations and prohibitions specified in this section are necessary to preserve items located within the public right-of-way for their intended purposes and to prevent the visual clutter, blight, and traffic safety hazards caused by temporary signs therein.

(C) *Posting prohibited.* No person shall paint, mark, write on, post or otherwise affix, erect, construct, maintain, paste, nail, tack, or otherwise fasten or affix any temporary sign on any sidewalk, crosswalk, curb, street lamp post, pole, bench, hydrant, tree, shrub, bridge, or electric light or power or telephone wire pole, or wire appurtenance thereof, or upon any street sign or traffic sign, or upon any other object located within the public right-of-way which is not maintained for the purpose of communications by temporary signs by the general public.

(D) *Exceptions.* This section shall not prevent a public officer or employee from posting notices as required by law, such as notices of street abandonment or notices of proposed assessment district proceedings, as required by the Streets and Highways Code of the state or other statutory authority. This section shall also not prevent the Director of Public Works from issuing an encroachment permit for the erection of banners pertaining to noncommercial and nonpolitical community events, such as parades, fairs, and community celebrations. This section shall also not pertain to structures located within the right-of-way which by tradition or

designation are used for the purpose of communication by the general public. Such structures shall include kiosks, bulletin boards, benches upon which advertising is authorized, newspaper racks, and billboards as authorized by this Code.

(E) *Sign distance.* No temporary sign over three feet in height located on private property shall be erected or placed at the intersection of any street or within the segment created by drawing an imaginary line between points 50 feet back from where the curb lines of the intersection quadrant intersect.



(F) *Removal.*

(1) Temporary signs not prohibited by this section shall be removed within 14 calendar days after the event to which they relate occurs.

(2) Any temporary sign posted or otherwise affixed in violation of this section may be removed by officers of the Police, Building Inspection, or Public Works Departments or by the Code Enforcement Officer. Signs removed by city employees shall be taken to the Maintenance Service Center. The employee removing the sign shall immediately attempt to notify the owner of the sign, if such can be ascertained. In cases where a sign contains the name of a printing firm or political candidate, the Department shall also immediately attempt to notify such firm or candidate of the fact of removal, the location of the sign, and the procedure for retrieving the sign.

(G) *Retrieval of signs.* Any person desiring to retrieve a sign removed by the city may do so upon the payment of an administrative fine as specified by resolution. In lieu of paying such administrative fine, such person may retrieve a sign upon signing a promise to appear upon a citation issued to him or her for the violation of this section. If a person wishes to contest the fact that a sign was placed in violation of this section prior to paying the fine or signing the citation, he or she shall have the right to an administrative hearing before the Director of Public Works. If the Director of Public Works finds that the sign was lawfully posted, he shall return the sign without an administrative penalty or the issuance of a citation.

(H) *Destruction of signs.* Any temporary sign removed by the city may be considered abandoned if it is not retrieved within 15 calendar days after the date of such removal and may be disposed of by the city without liability therefor to any person.

(Ord. 918-C-S, passed 5-28-96)

§ 9-5.519 TOBACCO-RELATED SIGNS.

(A) Window signs, freestanding signs, shingle signs, temporary signs, awning and canopy signs, business opening signs, portable off-site signs, wall signs, gasoline service station signs and commercial logo flags which advertise or promote tobacco products are prohibited when located within 1,600 feet of an elementary or secondary school, public playground or playing field when visible from the public street or sidewalk. No part of this ordinance shall be construed to regulate messages which do not propose or infer a commercial message.

(B) No sign, banner, flag or any other display which advertises or promotes tobacco products shall be permitted on any city-owned facility.

(C) In order to allow the terms of this ordinance to become known to the persons affected by it, this ordinance shall not be formally enforced by use of the provisions contained in it until 1-2-00.

(Ord. 961-C-S, passed 9-14-99)