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Chapter 17.36 - ADVERTISING SIGNS^[8]

Sections:

Footnotes:

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Prior ordinance history: Ords. 298 and 373.

17.36.010 - Purpose and application of chapter.

- A. Purpose. In order to preserve the natural beauty of the city, to enhance the community's appearance, to conserve the character of its residential districts, to establish appropriate signage for the city's nonresidential districts, and to protect the public safety, the type, location, size and illumination of advertising signs are regulated.
- B. Application. This chapter shall apply to all advertising signs located on private property, whether temporarily or permanently; provided, however, this chapter shall not apply to:
 1. Any signs owned by the city, wherever located; or
 2. Any signs placed on private property by the property owner or with such owner's consent, which have been expressly authorized to be located thereon by resolution of the city council.

Nothing contained in this chapter shall be deemed to authorize or permit the placement of any sign on public property.

(Ord. 401 § 1(part), 1995).

17.36.020 - Definitions.

- A. In addition to the definitions set forth in Chapter 17.04, all of which are applicable to this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section, unless the context or the provision clearly requires otherwise:
 1. "Advertising sign" (referred to in this chapter as "sign") means any alpha-numeric lettering, trademark, design, ornamentation, or picture which identifies or advertises a person, institution, organization, business, service or product, which is attached to or made a part of any structure or placed upon any land or in or on any window, which is visible from any public or private street, highway, sidewalk or alley, or other outside public area. Paintings or other art forms visible to the public are not considered advertising signs.
 2. "Awning sign" means a sign that is printed, painted, fixed, marked, stamped or otherwise impressed upon the surface of an awning covering.
 3. "Banner" means any sign of lightweight fabric or similar material that is mounted at one or more edges to a pole or the exterior of a building.
 4. Billboard. See "nonappurtenant advertising structure."
 5. "Construction sign" means a temporary sign that announces the name and character of a building under construction and may identify those persons directly connected with the construction.
 6. "Directional sign" means a sign that is located on-site, the sole purpose of which is to direct the flow of traffic, indicate entrances or exits and transmit parking information.
 7. "Directory sign" means a sign identifying or advertising multiple businesses located on the same site as the sign.
 8. "Freestanding sign" means a sign affixed to the ground and detached from any building. See "pole sign" and "monument sign."

9. "Height of sign" means the distance between the highest point of a sign and the finished grade at its base.
10. "Identification sign" means a sign displaying the name of the property or the premises upon which displayed or the owner or occupant thereof.
11. "Illuminated sign" means a sign having its own immediate source of internal or external illumination.
12. "Kinetic sign" means a sign that is reflective, rotating, wind-driven, flashing, animated or revolving, including electronic readerboards.
13. "Monument sign" means a freestanding sign without exposed supports or poles.
14. "Nonappurtenant advertising structure" means a structure that advertises products or businesses which do not pertain solely to uses permitted and conducted on the property where such structure is located.
15. "Nonconforming sign" means a sign legally constructed or installed in compliance with all zoning regulations then applicable to the site, but which, by virtue of a subsequent change in such regulations or reclassification or annexation of the property, no longer conforms with the sign regulations currently applicable to the site.
16. "Off-site directional sign" means an off-site sign that serves solely to provide directions to a local business.
17. "Off-site open house sign" means a temporary off-site sign that serves solely to provide directions to a property being offered for sale which is open for inspection by the general public on the day the sign is displayed.
18. "Pole sign" means a sign supported from the ground by a pole or poles.
19. "Portable sign" means any sign which is intended to be moved or capable of being moved, whether or not on wheels or other special supports.
20. "Primary frontage" means that single property line of a lot abutting a public or private street and providing the principal means of access to the lot or occupancy thereof.
21. "Privilege sign" means a sign containing the name and/or logo of any product or service other than that which provides the majority of the business conducted on the site.
22. "Projection sign" means a sign that is affixed at an angle or perpendicular to the wall of any building.
23. "Residential home occupation sign" means a sign located on the site of a dwelling unit that identifies a home occupation being legally conducted on the same site by the occupant of the dwelling unit.
24. "Roof sign" means a sign located on the roof of a building.
25. "Sale or lease sign" means a temporary sign advertising the sale or rental of all or a portion of the premises upon which the sign is located.
26. "Secondary frontage" means any property line of a lot abutting a public or private street other than the primary frontage.
27. Sign. See "Advertising sign."
28. "Sign area" means the area of a sign as calculated in accordance with the procedures for measurement illustrated in Figure 17.36.020B.
29. "Sign program" means an overall plan for signage, as approved by the planning commission, pertaining to all or any portion of a site and the buildings thereon, which may include, but is not limited to, unique requirements for the sign area, dimension, color, material, design, size and illumination of all signs to be erected or installed pursuant to the sign program.

30. "Subdivision sale sign" means a temporary sign advertising the sale of lots or homes within a subdivision of five (5) or more lots.
 31. "Temporary sign" means a sign that is not permanently installed or affixed to the site and is required to be removed within the time prescribed in Table 17.36.020 for the applicable type of sign.
 32. "Wall sign" means a sign affixed parallel to a wall or painted on the wall so as to read parallel to the wall.
 33. "Window sign" means a sign affixed on a window or within a window frame.
- B. In the event of any conflict or inconsistency between the definitions set forth in this section and the definitions contained in Chapter 17.04, the definitions set forth in this section shall be controlling.
 - C. This chapter includes the following exhibits which appear after the last section of this chapter, and the same are incorporated herein by reference:
 - (1) Table 17.36.020. "Requirements For Advertising Signs";
 - (2) Figure 17.36.020A. "Maximum Total Sign Area Computed By Frontage";
 - (3) Figure 17.36.020B. "Determination of Sign Area."

(Ord. 401 § 1(part), 1995).

17.36.030 - General regulations.

- A. Compliance With Chapter. No advertising sign shall be erected, installed, altered or maintained in any zoning district in the city, except in conformity with the provisions of this chapter.
- B. Requirement for Permit-Exceptions. No person shall place, erect, install, alter or maintain any sign in the city without first obtaining a sign permit pursuant to this chapter; provided, however, that the following signs may be installed without obtaining a sign permit if the sign fully complies with the applicable requirements set forth in Table 17.36.020 and Figure 17.36.020A of this chapter:
 1. Identification signs;
 2. Off-site open house signs;
 3. Residential home occupation signs;
 4. Sale and lease signs;
 5. Temporary window signs;
 6. Window signs less than one (1) square foot in area.
- C. Site Restrictions. All advertising signs shall be located on the same site as the use they identify or advertise, with the exception of off-site directional signs and off-site open house signs. As used herein, the term "site," as applied to subdivision signs, means within the boundaries of the subdivided property as shown on either: (i) the recorded final map; or (ii) the tentative map, if the final map is not yet recorded. Nonappurtenant advertising structures are prohibited in all districts.
- D. Sign Area. The area of each individual sign shall be calculated in accordance with the procedures for measurement illustrated in Figure 17.36.020B. The maximum total area of signage permitted on a lot shall be determined in accordance with the applicable requirement set forth in Table 17.36.020.
- E. Height of Sign. Except as otherwise provided in this chapter, the height of a sign shall not exceed the maximum height prescribed for the district in which the sign is located.
- F. Construction and Maintenance. All signs shall comply with the following construction and maintenance requirements:
 1. All new signs shall be designed, constructed and installed in accordance with the Uniform Sign Code; provided, however, that in the event of any conflict or inconsistency between the

provisions of the Uniform Sign Code and the provisions of this chapter, the provisions of this chapter shall be controlling.

2. All new signs shall be adequately finished to give a professional appearance and assure durability.
 3. All projecting signs shall have a clearance of not less than eight feet or the distance required by the provisions of the Uniform Sign Code, whichever is greater.
 4. All signs shall be regularly maintained and kept in good condition and repair.
- G. Applicable Sign Classification. Where more than one classification under this title can be applied to the same sign, the classification having the most restrictive regulations shall be applied.
- H. Unauthorized Signs. It is unlawful for any person who is not the owner or legal occupant of private property to place any sign on such property without authorization by the owner or legal occupant thereof.

(Ord. 401 § 1(part), 1995).

17.36.040 - Primary and secondary frontage.

- A. In the case of a lot having both a primary and one or more secondary frontages, additional signs facing the secondary frontage(s) may be installed, provided that:
1. The total sign area of the additional signs on the secondary frontage(s) does not exceed one-half ($\frac{1}{2}$) of the maximum sign area that would be allowed under Figure 17.36.020A if the secondary frontage were the primary frontage; and
 2. The combined total sign area for all signs on both the primary and secondary frontages shall not exceed one hundred (100) square feet.
- B. In cases where there is more than one frontage, the planning director shall determine the frontage that will be classified as primary and the frontage(s) that will be classified as secondary for the purposes of this chapter. Such determination shall have no effect upon the application of any other zoning regulation contained in this title.

(Ord. 401 § 1(part), 1995).

17.36.050 - Sign program.

- A. A sign program shall be required in each of the following cases:
1. For lots having a primary frontage of more than one hundred (100) feet where signage in excess of one hundred (100) square feet is being requested;
 2. For lots having a combined primary frontage and secondary frontage of more than one hundred (100) feet where signage in excess of the square footage allowed under Section 17.36.040(A)(1) is requested for the secondary frontage;
 3. For lots having a primary frontage of less than one hundred (100) feet but having multiple tenants or occupants on the same site where signage in excess of the square footage otherwise allowed in Figure 17.36.020A is being requested;
 4. For lots having multiple nonresidential uses which are located in residential districts, where signage in excess of twenty (20) square feet is being requested;
 5. For property which is the subject of a specific plan adopted pursuant to Sections 65450-65457 of the Government Code; or
 6. For property which is the subject of a planned development permit issued pursuant to Chapter 17.28 of this title.

- B. In connection with the approval of a sign program, the planning commission shall have authority to impose such modified or additional requirements as the planning commission may deem necessary or appropriate in order to achieve the purposes of this chapter. No sign program shall be approved unless the planning commission is able to make all of the applicable findings set forth in subsection D of Section 17.36.060. Upon approval of a sign program by the planning commission, the planning director shall thereafter issue a sign permit for each sign to be located upon the subject property if the planning director finds and determines that the proposed sign complies with the approved sign program.
- C. The city on its own initiative, by resolution of the planning commission following the conduct of a public hearing, may adopt a sign program for any zoning district or other specified geographic area for the purpose of establishing a consistent and uniform plan for signage within such district or area. Notice of the public hearing shall be given in the same manner as would be utilized for notice of the proposed adoption of a zoning regulation governing such district or geographic area.

(Ord. 401 § 1(part), 1995).

17.36.060 - Approval of sign permits and sign programs.

- A. Application. Application for a sign permit or approval of a sign program shall be made to the department of building and planning in accordance with Sections 17.02.070 and 17.02.080 of this title.
- B. Review of Application. Applications shall be reviewed as follows:
 - 1. Sign Permit. All applications for a sign permit shall be subject to review by either:
 - a. The planning director, if the proposed sign complies with the requirements contained in Table 17.36.020 and does not exceed the sign area shown on Figure 17.36.020A as being within the approval authority of the planning director; or
 - b. The zoning administrator or the planning commission, as determined by the type and size of the proposed sign, in accordance with the requirements contained in Table 17.36.020 and the chart set forth in Figure 17.36.020A.

Notwithstanding the foregoing, the planning director may elect to refer any permit application to the zoning administrator for a decision thereon, and the zoning administrator may elect to refer any permit application to the planning commission for a decision thereon, whenever the planning director or the zoning administrator determines that the proposed sign may create an adverse visual, aesthetic, safety or other impact upon neighboring properties or the occupants thereof. In the event of such referral, the application shall be processed in the same manner and subject to the same requirements for notice and findings as if originally filed with the approving authority to which it has been referred.

 - 2. Sign Program. All applications for approval of a sign program shall be subject to review by the planning commission.
- C. Notice.
 - 1. Sign Permits Issued by Planning Director. Sign permit applications subject to review only by the planning director may be granted upon submittal, without prior notice to any other parties or the conduct of a meeting or other form of public hearing thereon by the planning director, in the same manner as an application for a building permit.
 - 2. Sign Permits Issued by Zoning Administrator or Planning Commission. For sign permit applications requiring review by the zoning administrator or planning commission, notice of the meeting at which the review will take place shall be mailed to property owners and occupants on both sides of, and directly across the street from, the site on which the sign is proposed to be placed at least ten (10) calendar days prior to the meeting.

3. Sign Program Approved by Planning Commission. For sign program applications, notice shall be provided to all property owners within three hundred (300) feet of the site at least ten (10) calendar days prior to the date of the planning commission meeting at which the application will be considered.

When notice is required to be given, it shall set forth the time and place of the meeting at which the application will be considered and shall advise the recipient that written comments may be submitted prior to the meeting and both written and verbal comments will be received by the approving authority at the time of the meeting.

- D. Findings for Approval. No sign permit shall be granted and no sign program shall be approved unless the planning director, or the zoning administrator, or the planning commission, as the case may be, is able to make each of the following findings as may be applicable to the application;
 1. All advertising signs must conform to the requirements of Table 17.36.020 and Figure 17.36.020A, unless specifically exempted in this chapter.
 2. For all advertising signs subject to permit approval by the zoning administrator or the planning commission, it must also be found that:
 - a. The sign complies with all applicable city ordinances; and
 - b. The sign does not conflict with the building scale, colors, materials, architectural details and styles found in the specific neighborhood or area of the city in which the sign is proposed to be located.
 3. For off-site directional signs, it must also be found that:
 - a. The sign provides directions to a local business only; and
 - b. The sign is necessary because the location of the business is not readily visible from the street designated as the primary frontage of the site.
 4. For portable signs, it must also be found that:
 - a. The sign will be safely secured during and after business hours; and
 - b. The sign, when displayed, does not present a hazard to vehicular or pedestrian traffic.
 5. For illuminated or kinetic signs, it must also be found that:
 - a. The sign does not produce glare; and
 - b. The sign does not present a distraction or hazard to pedestrians, motorists, or the occupants of other neighboring properties; and
 - c. The sign does not otherwise cause a public nuisance.
 6. For sign programs, it must also be found that the program is consistent with the city's general plan and any specific plan or planned development permit applicable to the site.
- E. Changes to Approved Signs. No sign for which a sign permit has been issued shall be altered or changed without the prior approval of the authority that granted the permit; provided, however, that the planning director may approve signs where only the face is being changed and the physical structure and characteristics of the sign are not being altered.

(Ord. 401 § 1(part), 1995).

17.36.070 - Appeals.

- A. Appeals From Decisions of Planning Director. Any decision or determination made by the planning director pursuant to this chapter may be appealed by the applicant to the planning commission in accordance with the procedure set forth in Section 17.52.005 of this title, except that the appeal shall be filed within seven (7) calendar days after the date on which the decision or determination is

rendered. The acceptance of a sign permit or a building permit for the sign shall constitute a waiver by the applicant of all rights to appeal granted by this title.

- B. Appeals From Decisions of Zoning Administrator. Any decision or determination made by the zoning administrator pursuant to this chapter may be appealed to the planning commission in accordance with the procedure set forth in Section 17.56.100 of this title.
- C. Appeals From Decisions of Planning Commission. Any decision or determination made by the planning commission pursuant to this chapter may be appealed to the city council in accordance with the procedure set forth in Sections 17.52.010 and 17.52.020 of this title, except that the appeal shall be filed within ten (10) calendar days after the date on which the decision or determination is rendered.

(Ord. 401 § 1(part), 1995).

17.36.080 - Nonconforming signs.

A nonconforming sign shall not be replaced, altered, redesigned, reconstructed or relocated unless or until the sign is made to conform with the provisions of this chapter. Ordinary maintenance and repairs which will not increase the normal life of the sign and are required for safety purposes or to comply with Section 17.36.030(F)(4) will be allowed.

(Ord. 401 § 1(part), 1995).

17.36.090 - Unlawful signs.

- A. Unlawful Signs Declared Public Nuisance. Any sign erected, constructed, altered, enlarged or maintained in violation of the provisions of this chapter is declared to be unlawful and a public nuisance. Each sign found to be in violation of any such provision shall constitute a separate violation of this chapter. Upon order by the city council, the city attorney shall commence such action or proceeding for abatement of the public nuisance through removal, maintenance or repair of the sign as may be authorized by law. The remedies provided for in this section shall be cumulative and not exclusive of any other rights or remedies available to the city upon a violation of this title.
- B. Recovery of Abatement Costs. The cost of all proceedings conducted by the city to remove an unlawful sign or to maintain or repair an existing sign shall be paid to the city by the person to whom a permit for such sign was issued, or, in the absence of a sign permit, payment shall be made by the owner of the property upon which the sign was erected or installed. The city may recover such abatement costs in the same manner as provided in this title, or otherwise provided by law, for recovery of costs related to the abatement of public nuisances.

(Ord. 401 § 1(part), 1995).

Table 17.36.020
Requirements for Advertising Signs

Type of Sign	Maximum Sign Area	Review Process	Other Requirements
Sale or Rental:			
Residential	6 sq. ft.	None	Not more than 1 sign per unit; remove not later than 10 days after finalization of sale or rental.
Nonresidential	16 sq. ft.	None	Not more than 1 sign per unit; remove not later than 10 days after finalization of sale or rental.
Off-Site Open	6 sq. ft.	None	Display limited to day of open house.

House:			
Subdivision:	40 sq. ft.	Planning director	Not more than 1 sign at each major entrance to the project; display limited to 6 months. Extensions for display beyond 6 months can be granted by planning director based upon a finding that the signs are reasonably necessary for marketing of the lots or dwelling units in the project and do not create any adverse aesthetic or safety impacts.
Construction:	1 sq. ft. per 1 foot of frontage; 100 sq. ft. maximum	Planning director	Not more than 1 sign per site; remove not later than 45 days from issuance of first certificate of occupancy for improvements on the site where the sign is located.
Identification:	1 sq. ft.	None	Not more than 1 sign per unit.
Residential Home Occupation:	3 sq. ft.	None	Home occupation permit must have been granted for the activity advertised by the sign; not more than 1 sign per permit.
Multifamily Residential Uses in Residential Districts:		Planning director	Not more than 1 sign per frontage. Freestanding signs shall not exceed 4 feet in height. No sign shall be permitted on the roof or roof eave of any building.
Frontage of less than 100 feet	10 sq. ft.		
Frontage of 100 feet or more	20 sq. ft.		
Secondary frontage	8 sq. ft.		
Nonresidential Uses in Residential Districts:	20 sq. ft.	Planning director	Not more than 1 sign per site.
Wall:	Figure 17.36.020A	Figure 17.36.020A	None.
Projecting:	15 sq. ft. (sign area measured for one side only)	Zoning administrator	3 foot maximum encroachment into the public right-of-way. 1 foot maximum projection above the face of the structure. Not more than 1 projecting sign per site.
Awning:	Figure 17.36.020A (sign area measured for front and one side only)	Zoning administrator	3 foot maximum encroachment into the public right-of-way. No projection above the face of the building.
Window:			
Permanent-more than 1 sq. ft.	Figure 17.36.020A	Figure 17.36.020A	None
Permanent-1 sq. ft. or less	1 sq. ft.	None	None.

Temporary	None	None.	Interior only; display limited to 90 days.
Roof:	Figure 17.36.020A	Zoning administrator	Restricted to the following general plan subareas only: Southeast Bayshore, Northeast Bayshore, Northwest Bayshore north of Main Street, Beatty, Baylands, and Southwest Bayshore.
Freestanding:			
Pole	Figure 17.36.020A	Planning Commission	Restricted to the following General Plan subareas only: Southeast Bayshore, Northeast Bayshore, Northwest Bayshore north of Main Street, Beatty, Baylands, and Southwest Bayshore.
Monument-less than 6 ft. in height	Figure 17.36.020A	Figure 17.36.020A	None.
Monument-6 ft. or more in height	Figure 17.36.020A	Zoning administrator	None.
Portable	Figure 17.36.020A	Zoning administrator	Findings per Section 17.36.060(D).
Directory	In accordance with approved sign program.		
Illuminated:	Figure 17.36.020A	Zoning administrator	Findings per Section 17.36.060(D).
Banner:			
Temporary	Figure 17.36.020A	Planning director	Display limited to not more than an aggregate of 90 days during any single calendar year.
Permanent	Figure 17.36.020A	Zoning administrator	None.
Kinetic:	Figure 17.36.020A	Planning commission	Findings per Section 17.36.060(D).
Privilege:	Figure 17.36.020A	Figure 17.36.020A	Not more than 25% of the sign area or 25 sq. ft., whichever is less, shall be devoted to brand names/symbols which shall be integrated with the remainder of the sign.
Off-site Directional:	Figure 17.36.020A (for the site on which the sign is located)	Planning commission	Findings per Section 17.36.060(D). Prohibited in all residential districts.
Sign Programs:	Variable	Planning commission	Properties with more than 100 ft. of frontage; Properties with not more than 100 ft. of frontage and multiple businesses; Multiple nonresidential uses in residential districts where signage is more than 20 sq. ft.; Properties included in master plan or specific plan.
Individual signs subject to sign program	Per sign program	Planning director	Per sign program.

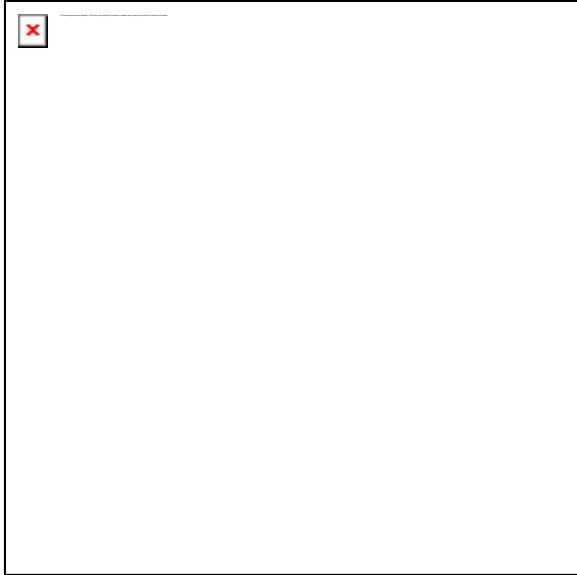
Figure 17.36.020A-1

Maximum Total Sign Area Computed by Frontage

Lot Frontage	Maximum Total Sign Area Permitted	Planning Director Review	Zoning Administrator Review
Up to 15 feet	15 sq. ft.	All	None.
Greater than 15 feet; up to 30 feet	1 sq. ft. per 1 foot of frontage	All	None.
Greater than 30 feet; up to 40 feet	1 sq. ft. per 1 foot of frontage	30 sq. ft. or less	Greater than 30 square feet; up to 40 square feet.
Greater than 40 feet; up to 60 feet	1 sq. ft. per 1 foot of frontage	35 sq. ft. or less	Greater than 35 square feet; up to 60 square feet.
Greater than 60 feet; up to 80 feet	1 sq. ft. per 1 foot of frontage	40 sq. ft. or less	Greater than 40 square feet; up to 80 square feet.
Greater than 80 feet; up to 100 feet	1 sq. ft. per 1 foot of frontage	45 sq. ft. or less	Greater than 45 square feet; up to 100 square feet.
Greater than 100 feet	100 sq. ft. unless otherwise approved by the planning commission as part of a sign program	50 sq. ft. or less	Greater than 50 square feet; up to 100 square feet.

Figure 17.36.020A-2

Maximum Total Sign Area Computed by Frontage



Maximum
Sign Area
= 100 sq. ft.

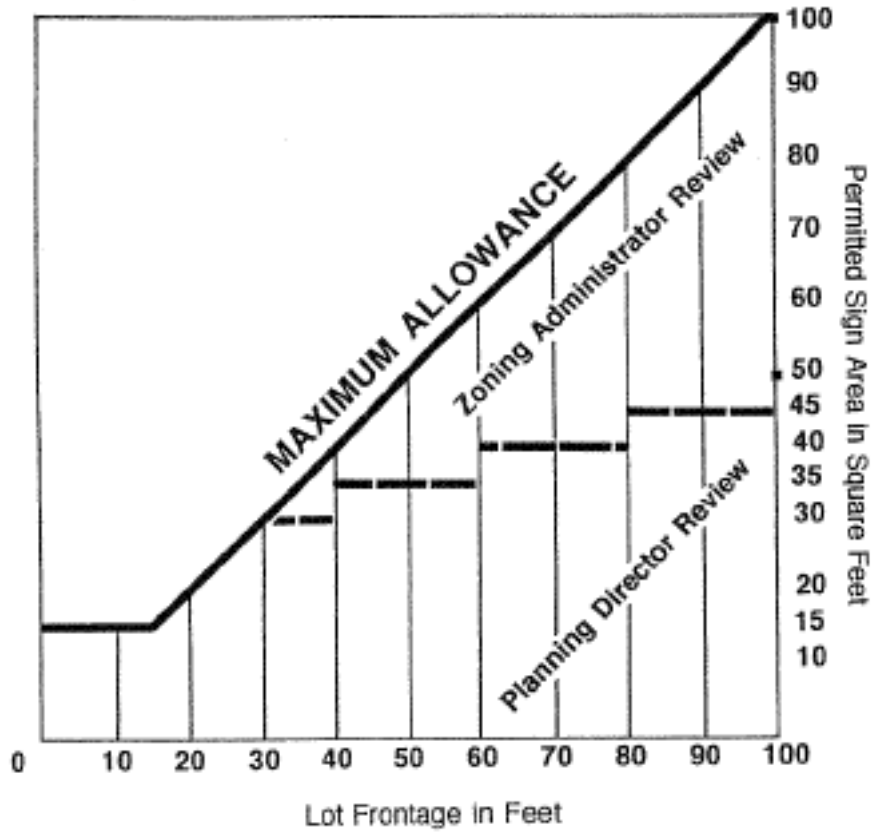


Figure 17.36.020B

Determination of Sign Area

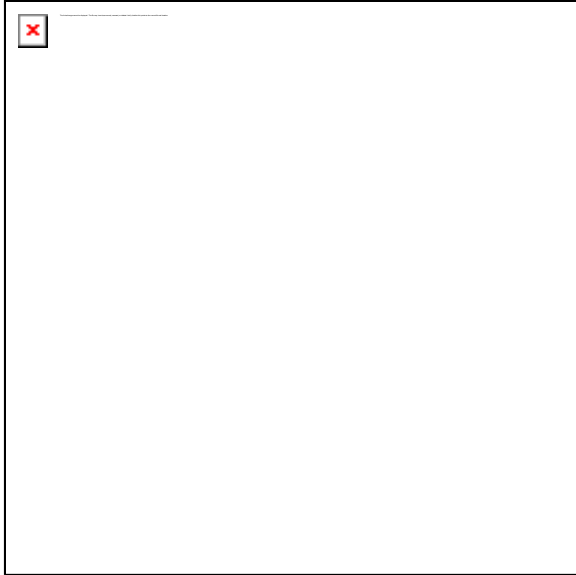


Figure 17.35.020B

Determination of Sign Area

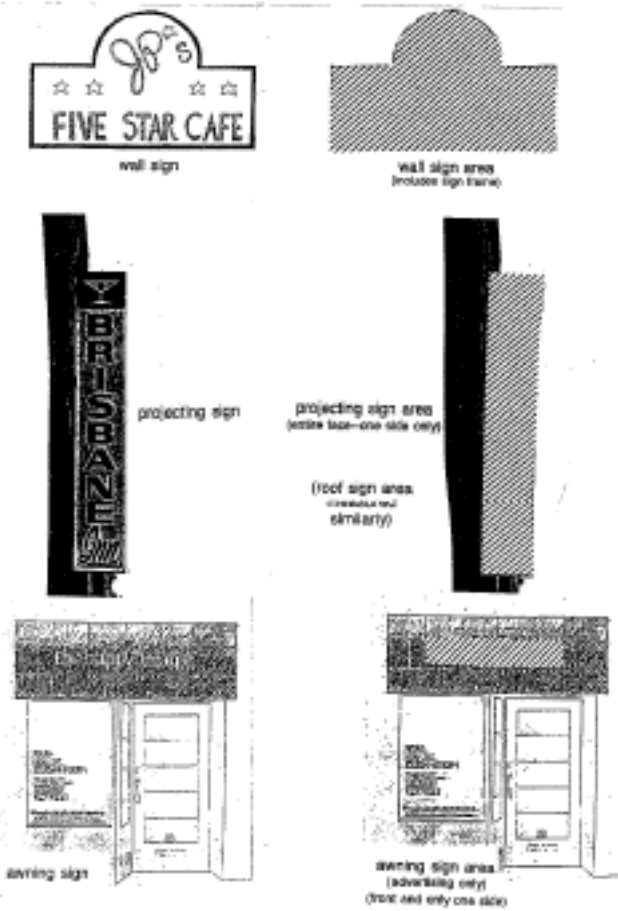


Figure 17.36.020B

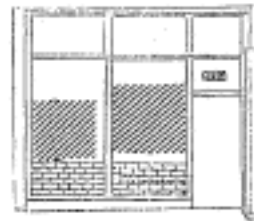
Determination of Sign Area (Continued)

Figure 17.36.020B

Determination of Sign Area (Continued)



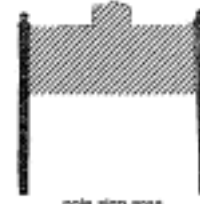
window sign



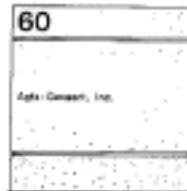
window sign area
(all signage combined in each window)
(smallest rectangle to contain each sign)



pole sign



pole sign area
(does not include supports
if not part of a sign name)
(one side only)



monument sign



monument sign area
(does not include supports)
(one side only)

