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ARTICLE XI. - ON-PREMISE SIGNS
DIVISION 1. - GENERAL PROVISIONS^[12]

Footnotes:

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Editor's note— Ord. No. NS-2116, § 1, adopted Mar. 18, 1991, repealed former Div. 1, general provisions relative to on-premise signs, §§ 41-850—41-852, and enacted similar new provisions in lieu thereof as §§ 41-850, 41-851. Formerly, such provisions derived from Ord. No. NS-1721, § 1, adopted Apr. 2, 1984, and Ord. No. NS-1927, § 5, adopted Sept. 8, 1987.

Sec. 41-850. - Purpose.

The purpose of this article is to establish a system for the control of the size, location, type and number of signs located on private property in the City of Santa Ana according to reasonable and nondiscriminatory standards. Such regulation is deemed necessary to enhance the quality of the visual environment, thereby promoting commerce, improving community identity, conserving property values, improving traffic safety, and promoting the health, safety and general welfare of the people.

(Ord. No. NS-2116, § 1, 3-18-91)

Sec. 41-851. - Scope.

- (a) This article applies to all signs and advertising displays in all zoning districts except as otherwise provided in this section.
- (b) This article does not apply to signs and advertising displays of the following types and descriptions:
 - (1) Any billboard or other off-premise commercial advertising sign regulated by Article XII of this chapter.
 - (2) Any sign located in the public right-of-way and installed or maintained by the public works agency of the city or by any other public entity having the legal authority to maintain the sign.
 - (3) Any sign located within a building or enclosed area and designed to be viewed primarily by persons inside of such building or enclosed area.
 - (4) Any sign on a vehicle or other mobile unit, unless such vehicle or mobile unit is parked or stationed near a business activity advertised or identified by the sign and for the primary purpose of attracting public attention to such business activity.
 - (5) Any temporary sign taped or otherwise affixed to a window in such a manner as to be easily removed, provided that the total area of such sign in any one (1) window does not exceed twenty-five (25) per cent of the area of each window.
 - (6) In commercial or manufacturing zones, nonfreestanding incidental sign area not exceeding two (2) square feet in size per elevation and attached flush to a door, wall or window containing information on hours of operation, deliveries, credit cards accepted, or similar information.
 - (7) The changing of copy on an approved changeable copy sign, provided the copy identifies the business or service provided.
- (c) Noncommercial signs are exempted from compliance with all sections of this article except section 41-860.
- (d) Signs in the downtown district are exempted from compliance with sections 41-861 through 41-872 of this article.
- (e) Signs in the Commercial South Main district shall comply with the provisions of article III, division 21 of this chapter.

(Ord. No. NS-2116, § 1, 3-18-91; Ord. No. NS-2420, § 3, 4-3-00)

Secs. 41-852—41-859. - Reserved.

DIVISION 2. - SIGN STANDARDS AND REGULATIONS^[13]

Footnotes:

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Editor's note— Ord. No. NS-2116, § 2, adopted Mar. 18, 1991, repealed former Div. 2 of this article, §§ 41-860—41-876, relative to on-premise signs definitions, and enacted new provisions as set out in §§ 41-860—41-872. Formerly, such provisions derived from Ord. No. NS-1721, § 1, adopted Apr. 2, 1984, and Ord. No. NS-1986, §§ 1—3, adopted Dec. 19, 1988.

Sec. 41-860. - General regulations.

a) No sign is permitted that:

1. Is dangerous or confusing to motorists on the public right-of-way, including any sign which by its color, wording, design, location or illumination resembles or conflicts with any official traffic-control device or which impedes the safe and efficient flow of traffic.
2. Is in a condition which presents a danger of injury to the public.
3. Incorporates mechanical movement or in any way gives the illusion of motion, moving parts, rotation or any flashing, moving or intermittent lighting, other than a sign providing a time-and-temperature or similar public service display, except as approved by a Regional Planned Sign Program pursuant to section 41-885 of this chapter.
4. Is on a vehicle, except as excluded from the scope of this article by section 41-851
5. Impedes free ingress and egress from any door, window or exitway required by building or fire regulations.
6. Emits sound, smoke, visible particles or odors, except that speakers on drive-through facilities shall be permitted.
7. Is attached to or maintained upon any public utility pole or structure, or tree.

b) No person, except a public officer or employee in the performance of a public duty or a private person in giving a legal notice, shall paste, post, paint, nail or tack or otherwise fasten any card, banner, handbill, sign, poster, advertisement or notice of any kind upon any property without the written consent of the owner, holder, lessee, agent or trustee thereof.

c) All signs, other than temporary signs, and their supporting structures shall:

1. Be constructed of metal, wood, plastic, foam, paint and/or comparable weather-resistant material.
2. Be kept in good repair and maintained in safe, neat, clean and attractive condition.
3. Be so enclosed as to provide against their infestation by birds and vermin, and shall be structurally safe.

d) Logos or identification symbols shall be considered signs and shall conform to all provisions of this article.

(Ord. No. NS-2116, § 2, 3-18-91; Ord. No. NS-2861, § 3, 5-6-14)

Sec. 41-861. - Additional regulations.

No sign is permitted that:

1. Is an A-frame, sandwich board or other portable, temporary advertising display.
2. Is temporary or special event flags, banners, festoons, flag canopies or other displays, except as permitted by a special event sign permit.

3. Is a sculptured, molded or otherwise fabricated representational object used for the purpose of visually conveying business identification or product advertising, except as approved by a planned sign program.
4. Is an aerial or balloon type of sign, except as approved by a Regional Planned Sign Program pursuant to section 41-885 of this chapter.
5. Conflicts with standards established by resolution of the city council pertaining to the colors and materials of signs adopted for the purpose of promoting signage which is visually attractive and harmonious with its surroundings.
6. Duplicates or repeats copy on the same sign.
7. Is a graphic of paint or other material on a building for the purpose of amplifying or directing attention to a sign, unless approved by the planning director.

(Ord. No. NS-2116, § 2, 3-18-91; Ord. No. NS-2379, § 1, 1-4-99; Ord. No. NS-2861, § 4, 5-6-14)

Sec. 41-862. - Freestanding signs.

No permit shall be issued for a freestanding sign which does not comply with the following standards:

(a) *Number.*

- (1) The number of freestanding signs permissible on an integrated development site shall be as follows:

Total Street Frontage (feet)	Number
0— 299	1
300— 599	2
600— 899	3
900—1,199	4
1,200 or more	5

- (2) No more than one (1) freestanding sign advertising or identifying the same business activity shall be permitted on each street on which the integrated development site has frontage.

(b) *Location.*

- (1) No freestanding sign shall be permitted on any site which does not have street frontage.
- (2) A freestanding sign shall be located only in a landscaped planter, with such planter not less than four (4) feet in any direction from the edge of the planter to the sign. The planning manager may reduce the amount of required landscaping for freestanding signs on sites with legal nonconforming landscaped setbacks. No sign shall obstruct or remove any required landscape materials.
- (3) No freestanding sign shall be placed closer than twenty-five (25) feet to a side lot line.
- (4) No freestanding sign for a commercial use shall be placed within fifty (50) feet of land used, zoned, or designated on the general plan for residential purposes on the same street frontage as the proposed sign.

- (5) No freestanding sign shall be closer than one hundred (100) feet from another freestanding sign on the same site.
- (6) No freestanding sign shall be located in the triangular area(s) measured fifteen (15) feet by fifteen (15) feet where a driveway enters onto a street, or in any other area which may obstruct the vision of motorists so as to create a safety hazard. Additionally, all signs are subject to sections 36-45 to 36-47 of this Code regarding obstructions to vision at corner intersections.

(c) *Height and area.*

- (1) Properties with less than one hundred twenty (120) feet of street frontage shall be subject to the following requirements:

Total Street Frontage (feet)	Size
0— 60	20 square feet maximum, not to exceed 5 feet in height.
61—119	30 square feet maximum, not to exceed 6 feet in height.

- (2) Freestanding signs with more than one hundred twenty (120) feet of street frontage shall not exceed seven (7) feet in overall height from curb level unless otherwise stated in this section. The overall height plus the overall width shall not exceed sixteen (16) linear feet, and the sign face area shall not exceed forty-five (45) square feet.
- (3) Developments over fifteen (15) acres and with at least seven hundred fifty (750) feet of street frontage shall have no more than one (1) freestanding sign not to exceed fifteen (15) feet in overall height and ten (10) feet in overall width; the sign face area shall not exceed sixty (60) square feet. Such sign shall not be located on any secondary frontage.
- (4) A sign may be permitted to a height not exceeding thirty-five (35) feet and an area not exceeding one hundred (100) square feet, provided all of the following conditions are satisfied:
 - a. The sign is located on a site which is located within three hundred (300) feet of the point where a freeway exit centerline intersects with a city street;
 - b. The sign is oriented toward viewing by freeway traffic;
 - c. The sign is limited in content to the identification of the business name of a restaurant, a service station or a lodging establishment.

(d) *Design.*

- (1) All signs shall be architecturally compatible with the development on which they are located.
- (2) The copy area of a freestanding sign shall not exceed forty (40) per cent of the sign face.
- (3) Freestanding signs shall be for the shopping center or development name and/or the major tenants thereon, not to exceed a total of eight (8) items of information.
- (4) No sign shall use mirrors reflecting a direct light source or utilize flashing, blinking or sequenced lights. No sign shall utilize unshielded incandescent, fluorescent or other lighting, except neon.
- (5) The project address shall be located on the monument sign base.

(Ord. No. NS-2116, § 2, 3-18-91; Ord. No. NS-2279, § 1, 2-5-96)

Sec. 41-863. - Wall signs and canopy signs.

No permit shall be issued for a wall sign or canopy sign which does not comply with the following standards:

- (a) *Number.* No more than one (1) wall or canopy sign shall be permitted for each primary elevation of a leasable tenant space. In addition, no more than one (1) sign shall be permitted on more than two (2) secondary elevations which face a public street or on-site parking area. (As used herein, street shall include freeways, but exclude alleys and service ways.)
- (b) *Area.*
 - (1) Sign area on the primary elevation shall not exceed:
 - a. Ten (10) per cent of the business elevation; or
 - b. Forty (40) per cent of the signable area; or
 - c. Two hundred (200) square feet;whichever is smaller.
 - (2) Sign area on permitted secondary elevations, as permitted above in subsection (b)(1) shall not exceed:
 - a. Five (5) per cent of the business elevation area; or
 - b. Twenty (20) per cent of the signable area or
 - c. Fifty (50) square feet,whichever is smaller.
 - (3) Sign copy area shall not exceed forty (40) per cent of the sign area for existing cabinet signs.
- (c) *Length.* The horizontal dimension of any wall or canopy sign shall not exceed seventy-five per cent of the horizontal dimension of the building elevation of the activity identified by the sign, measured on the side of the building on which the sign is located.
- (d) *Location.*
 - (1) No wall or canopy sign shall be placed higher than the ground floor of the building or twenty (20) feet, whichever is less, except that second floor retail or office spaces with access separate from the use(s) on the ground floor are permitted a sign no higher than the second floor. Buildings over two (2) stories in height are subject to the requirements of major building identification signs.
 - (2) No sign shall be placed on a building elevation which is within fifty (50) feet of and faces a residential zone or use.
 - (3) No sign shall project above the parapet, canopy fascia, or wall to which it is attached, nor above the roofline if attached to the roof.
 - (4) All wall or canopy signs shall be consistently centered above the business entrance or an architecturally consistent area of the elevation.
- (e) *Design.*
 - (1) All signs on an individual business or within an integrated development site shall be consistent in sign shape, type and materials.
 - (2) All individual letter signs shall be installed to appear flush-mounted with no exposed raceways containing electrical transformers or components.
 - (3) All signs shall be for business identification only containing the recognized trade name of the business and no more than five (5) words describing products, services or brands, and shall not include slogans, phrases, promotions or duplication of copy.

- (4) No sign shall use mirrors reflecting a direct light source or utilize flashing, blinking or sequenced lights.
- (5) Where more than one (1) sign is permitted to a business, all signs shall be consistent in design, style, shape, color, illumination, and text.
- (6) Individual channel letters made of foam core with a density of fourteen (14) pounds or greater shall be permitted.
- (7) Internally illuminated cabinet wall signs are prohibited.

(Ord. No. NS-2116, § 2, 3-18-91)

Sec. 41-864. - Projecting signs.

No permit shall be issued for any projecting sign which does not comply with the following standards:

- (a) *Number.* A projecting sign shall only be permitted for a business activity having more than fifty (50) feet of street frontage, and only which such business activity would otherwise be entitled under this division. No more than one (1) projecting sign shall be allowed for any leasable tenant space.
- (b) *Location.*
 - (1) No part of any projecting sign shall be located lower than eight (8) feet above ground level.
 - (2) No projecting sign shall be located within fifty (50) feet of another projecting sign on the same site.
 - (3) No projecting sign shall be located higher than the ground level of occupancy of the building.
- (c) *Structure.*
 - (1) A projecting sign shall be perpendicular to the building wall to which it is affixed.
 - (2) No face of any projecting sign shall exceed twenty-five (25) square feet in area.
 - (3) A projecting sign shall not exceed twelve (12) inches in thickness.
 - (4) No face shall project more than four (4) feet from the wall to which it is attached.
 - (5) No face shall exceed seven (7) feet in vertical dimension.
- (d) *Design.*
 - (1) Sign copy area shall not exceed fifty (50) per cent of the sign face.
 - (2) The design of any projecting sign shall be architecturally compatible within the building on which it is located.
 - (3) No projecting sign shall be wholly or partially illuminated by unshielded lighting of any type, including exposed fluorescent or incandescent bulbs, except exposed neon. No sign shall use mirrors reflecting a direct light source or utilize flashing, blinking or sequenced lights.
 - (4) Projecting signs shall be for identification of the business(es) or use(s) located on the site subject to the following:
 - a. The sign shall have no more than five (5) words describing products, services or brands available on the premises where the sign is located in addition to the business identification.
 - b. The sign shall not advertise or display the name, brand name or manufacturer's name of any product, article or service, unless these names are included in the name identifying the business.

(Ord. No. NS-2116, § 2, 3-18-91)

Sec. 41-865. - Marquee signs.

No permit shall be issued for a marquee sign which does not comply with the following standards:

- (a) *Location.* No more than one (1) sign shall be permitted on each side of a marquee, and any such sign shall be in lieu of wall, canopy or projecting signs to which such business would otherwise be entitled under this division.
- (b) *Area.*
 - (1) The area of all signs located on a marquee shall not exceed two (2) square feet of total area per lineal foot of business frontage or two hundred (200) square feet, whichever is smaller.
 - (2) Sign copy area shall not exceed forty (40) per cent of the sign face or, where there is no sign face, forty (40) per cent of the signable area up to the allowable sign area.
- (c) *Dimensions.*
 - (1) The horizontal dimension shall not exceed seventy-five (75) per cent of the side of the marquee where such sign is located.
 - (2) The vertical dimension shall not exceed six (6) feet in height.
- (d) *Design.* Design of marquee signs shall be for identification of the business or use located on the site and may include a changeable copy sign.

(Ord. No. NS-2116, § 2, 3-18-91)

Sec. 41-866. - Signs located under canopies or marquees.

No permit shall be issued for any sign to be located under a canopy or marquee which does not comply with the following standards:

- (a) The sign shall contain only identification of the business name of the activity occupying the portion of the building to which it is affixed.
- (b) No more than one (1) sign shall be located at each entrance into the business activity identified by the sign.
- (c) A minimum clearance above grade of eight (8) feet over walkways and twelve (12) feet over driveways shall be maintained.
- (d) The area of the sign shall not exceed four (4) square feet.
- (e) The letters on the sign shall not exceed eight (8) inches in height.

(Ord. No. NS-2116, § 2, 3-18-91)

Sec. 41-867. - Major building identification signs.

Notwithstanding any other provision of this article, a permit may be issued for a wall sign for buildings over two (2) stories per this section which provides long-distance identification, or signage for the primary tenant in such a building, provided that the following standards are met:

- (a) *Number.* No more than two (2) such signs shall be installed on the building.
- (b) *Area.* The sign area of such a sign shall not exceed forty (40) per cent of the signable area to which it is attached, nor shall it exceed an area equal to two (2) square feet multiplied by the number of lineal feet in the horizontal dimension of the building face to which it is attached, measured at the height of the proposed sign location.
- (c) *Length.* The horizontal dimension of such sign shall not exceed forty (40) per cent of the horizontal dimension of the building elevation to which it is attached, measured at the height of the proposed sign location.

(d) *Location.* Such sign be located at the top story of the building or between the top story and the top of the building parapet or eaveline. Only one (1) sign shall be permitted per building elevation.

(e) *Design.*

(1) *Letter height.* The height of the letters used in such sign shall not exceed the following maximums, depending on the number of stories in the building:

Number of Stories	Height (inches)
2	24
3	30
4	36
5	42
6	48
7	54
8—10	60
11—14	72
15 or more	84

A logo may be used on such sign if the logo height does not exceed the maximum permitted letter height for the sign and if its horizontal dimension is not more than twice its maximum vertical dimension.

(2) *Structure.* Such sign shall be composed solely of individual channel letters or logo.

(Ord. No. NS-2116, § 2, 3-18-91)

Sec. 41-867.5. - Major building tenant signage.

Notwithstanding any other provision of this article, permits may be is used for tenant identification wall signs on the ground floor of any building over two (2) stories in height, provided that the total sign area for all such tenant signs located on any one side of the building shall not exceed the lesser of the following: (a) one (1) square foot of total sign area per linear foot of the width of that side of the building at the level of the signage, or (b) one hundred (100) square feet of total sign area. Such signs may identify any tenants in the building and shall be in addition to any signs permitted on the building pursuant to section 41-867. Except as otherwise provided in this section, such signs shall comply with the requirements of section 41-863 for wall signs.

(Ord. No. NS-2279, § 2, 2-5-96)

Sec. 41-868. - Residential development identification signs.

(a) No permit shall be issued for any sign providing identification of a residential development having five (5) or more dwelling units, unless the following standards are met:

- (1) No more than one (1) such sign may be installed for each street frontage of the development.
- (2) The sign shall not contain exposed unshielded illumination.
- (3) The sign face area shall not exceed twenty (20) square feet.

- (4) The height of the sign shall not exceed six (6) feet.
- (5) The width of the sign shall not exceed eight (8) feet.
- (b) In addition, directory type signs for multiple-unit developments of five (5) units or more, not exceeding six (6) square feet in area or four (4) feet in any dimension and six (6) feet in height, shall be permitted provided such sign is located within an interior court and adjacent to an internal walkway.

(Ord. No. NS-2116, § 2, 3-18-91)

Sec. 41-869. - Reserved.

Sec. 41-870. - Real estate signs.

- (a) *Residential units.* Notwithstanding any other provision of this article, signs advertising the sale, lease or rental of one (1) or more dwellings units are prohibited, except that no more than one (1) sign may be permitted on the site of such unit(s) without the necessity of obtaining a permit, provided the following standards are met:
 - (1) The sign shall not be illuminated.
 - (2) The sign area shall not exceed four (4) square feet.
 - (3) The sign shall not exceed six (6) feet in height.
 - (4) No other sign advertising the sale or lease of one (1) or more dwelling units shall be installed on the same site.
 - (5) A sign for the rental or lease of a unit shall correspond to an actual vacancy and shall not be permitted on fully occupied sites. The sign shall be removed within fourteen (14) days after the sale or lease of the property.
- (b) *Nonresidential units.* Notwithstanding any other provision of this article, signs advertising the sale or lease of one (1) or more nonresidential units are prohibited, except that no more than one (1) sign may be installed per street frontage of such property without the necessity of obtaining a permit, provided the following standards are met:
 - (1) The sign shall not be illuminated.
 - (2) The sign area shall not exceed thirty-two (32) square feet.
 - (3) The sign shall not exceed twelve (12) feet in height.
 - (4) No more than one (1) sign advertising the sale or lease of units of real property shall be installed on the same street frontage of the same site.
 - (5) A sign for the rental or lease of a unit shall correspond to an actual vacancy and shall not be permitted on fully occupied sites. The sign shall be removed with fourteen (14) days of the rental or lease of the unit(s).
 - (6) Placement of such sign shall correspond directly with the space available and shall not be located at unrelated businesses.
- (c) *New developments.* Notwithstanding any other provision of this article, a sign advertising the first-time sale or lease of units of real estate within a site which is being or has been newly developed or redeveloped may be installed on such site pursuant to a permit issued pursuant to this article for a one-year period, provided the following standards are met:
 - (1) The sign shall not be illuminated.
 - (2) The sign area shall not exceed eighty (80) square feet.
 - (3) The sign shall not exceed sixteen (16) feet in height.
 - (4) No other sign advertising the sale or lease of units of real estate shall be installed on the same site.

- (5) Notwithstanding the above, the sign shall be removed within fifteen (15) days of full occupancy of the site.

(Ord. No. NS-2116, § 2, 3-18-91)

Sec. 41-871. - Special event signs or displays.

No person shall install or maintain or allow to be installed or maintained on property occupied by such person any special event sign or display, except in accordance with the following requirements.

- (1) The special event sign or display shall be installed and maintained in accordance with a permit issued by the zoning administrator, who may approve, approve with conditions, or deny such permit.
- (2) The special event sign or display shall not be maintained for more than fourteen (14) successive days, except that grand opening signs shall be permitted for a period not to exceed thirty (30) days. Further, sign permits for grand openings shall be permitted for a period not to exceed thirty (30) days from the date the certificate of occupancy of the business is issued.
- (3) No more than four (4) special event sign permits, including grand opening signs, shall be issued for each business with a valid certificate of occupancy during each calendar year.
- (4) Notwithstanding subdivisions (2) and (3), special event sign permits for signs announcing that a retail, office or professional business is "open during construction" (or similar words), which are granted for sites which take vehicular access from a public street on which a street widening or other public works project is underway shall be permitted for the period during which the street widening or other public works project directly impairs vehicular access to the site. The executive director of the public works agency or designee shall notify such permit holders not later than fifteen (15) days prior to the end of the project or phase of project in order to allow permit holders sufficient time to remove the sign or display. One (1) special event banner sign under the terms of this subsection shall be permitted for each affected building. The special event banner sign shall be located facing the street on which the project is underway, where feasible.
- (5) Such special event sign or display shall include no more than banners and parking lot light pole flag displays and shall not include flag canopies, aerial signs or freestanding signs.
- (6) The special event banner sign shall not exceed thirty-six (36) square feet in area and shall not exceed eighteen (18) feet in length.

(Ord. No. NS-2116, § 2, 3-18-91; Ord. No. NS-2379, § 2, 1-4-99; Ord. No. NS-2444, § 2, 9-18-00)

Sec. 41-872. - Other signs.

- (a) *Directional signs.* Directional signs not exceeding four (4) square feet in area and, if freestanding, a height of four (4) feet shall be allowed. Such directional sign shall contain only that information necessary for on-site circulation, parking and site information without any advertising.
- (b) *Menu boards.* Menu boards on the interior driveways of drive-through facilities shall not exceed seven (7) feet in height and sixty (60) square feet in area. Speakers shall face away from residential property. No more than two (2) menu boards per drive-through shall be permitted.
- (c) *Window signs.* No permanent sign affixed to or incorporated into an exterior window shall exceed twenty-five (25) per cent of each window area.
- (d) *Awning signs.* No sign affixed to or incorporated into an awning shall exceed ten (10) per cent of the awning elevation.
- (e) *Construction signs.* One (1) unlighted construction sign is permitted per street frontage per job site and shall not exceed six (6) square feet in any residential zone or thirty-two (32) square feet in all other zones, and shall contain no more than the name of the project and the names and addresses of the

contractors, architects, engineers, landscape architect, financing company or developer. Such sign shall be removed within thirty (30) days of building permit final approval or issuance of a certificate of occupancy for the project.

- (f) *Service station signs.* Signs for service stations shall comply with the provisions of this article for freestanding and wall signage and shall include signs required by law, but shall not exceed the minimums set by law subject to sign placement requirements and review as set forth in this part. In addition, the following signage is permitted:
- (1) *Island canopies.* One (1) sign per street frontage shall be permitted. Canopy signage shall not exceed twenty (20) square feet in area. Canopy sign copy shall be limited to business name and logo only. Signage may be internally illuminated.
 - (2) *Spandrel signs or canopy support signs.* The signs shall not exceed twenty (20) per cent of the spandrel area. The spandrel sign copy shall be limited to business name and logo only. Spandrel signage may be internally illuminated.
 - (3) *Pump or dispenser signs.* Pump or dispenser signs shall be limited to business or fuel identification, operational instructions, and state required information.
 - (4) *Convenience signs.* Signage designated to assist customers, such as "Please Pull to Forward Pumps" or "Please Pay Cashier Before Pumping Gas" shall be architecturally integrated with the structure to which it is being applied and not exceed four (4) square feet in sign area.
- (g) *Signs over public right-of-way.* No sign shall extend over the public right-of-way, except signs on a marquee, canopy or awning which shall project no closer than two (2) feet from a curb.
- (h) *Exterior telephones.*
- (1) To maintain an image of professionalism, side panels on pay phones must relate solely to phone identification and/or the business name or logo of the pay phone company provider. No advertising of products, services or special events are allowed. Side panels must be composed of materials which allow for cleaning and removal of graffiti without deterioration of color or surface appearance of the enclosure. Service providers will be responsible for keeping side panels clean and free of graffiti. All enclosures at a location must be of the same type with side panels of the same color. All enclosures must be U.L. listed and all light fixtures operational if units are wired for lighting. Vandalized enclosures/side panels requiring repairs must be replaced within one (1) business day of notification to the service provider.
 - (2) Signage indicating the location of a pay phone may not be placed on the site or extend above the phone cabinet unless deemed necessary due to public safety concerns as determined by the chief of police. In such instances, said signage is limited to the international telephone symbol.
 - (3) Phone identification attached to a building or structure is not permitted.
 - (4) Phones may not be used to advertise on- or off-site business activities.

(Ord. No. NS-2374, § 5, 12-7-98)

Secs. 41-873—41-879. - Reserved.

DIVISION 3. - PLANNED SIGN PROGRAMS^[14]

Footnotes:

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Editor's note— Ord. No. NS-2116, § 3, adopted Mar. 18, 1991, repealed former Div. 3, §§ 41-880—41-886, relative to penal provision pertaining to on-premise signs, and enacted similar new provisions in lieu thereof as §§ 41-880—41-884. Formerly, such provisions derived from Ord. No. NS-1721, § 1, adopted Apr. 2, 1984.

Sec. 41-880. - General requirements.

- (a) A planned sign program shall be adopted for multitenant development and shall include criteria for freestanding, wall and directional signs, as applicable, for each individual development.
- (b) No permit shall be issued for any sign in or for a multitenant development, except pursuant to an approved planned sign program in accordance with this article.
- (c) A planned sign program for existing multitenant developments that do not have an approved planned sign program shall be adopted prior to the issuance of any additional sign permits in such development. Such planned sign program shall follow the implied sign program or predominant pattern of sign type and configuration in use in the existing development.

(Ord. No. NS-2116, § 3, 3-18-91)

Sec. 41-881. - Application.

Application for a planned sign program shall be filed by, or with written consent of, the property owner. An application shall be filed and reviewed in the same manner as an application for a sign permit pursuant to Division 4.

(Ord. No. NS-2116, § 3, 3-18-91)

Sec. 41-882. - Standards of approval.

- (a) A planned sign program shall satisfy the following standards:
 - (1) All of the signs are consistent with the purpose, spirit and intent, as well as the specific minimum standards, of this article.
 - (2) All of the signs are harmonious and visually related to each other through the incorporation of common design elements.
 - (3) The signs are architecturally integrated with the buildings to which they are appurtenant.
 - (4) The signs do not adversely affect nearby land uses or obscure the view of other signs which conform to this article.
- (b) A planned sign program as submitted by an applicant may be approved subject to conditions designed to bring it into compliance with the purpose, spirit and intent of this article. No conditions unrelated to signage shall be imposed. However, approval may be more restrictive than Division 2 of this article.

(Ord. No. NS-2116, § 3, 3-18-91)

Sec. 41-883. - Procedures.

Applications for planned sign programs shall be decided in the same manner as sign permits subject to the right of appeal by any aggrieved applicant to the planning commission. No public hearing shall be required, but the zoning administrator or the planning commission may send such notices of the pending action and receive such comment to and by surrounding property owners and occupants or other interested persons as they deem appropriate. The decision of the planning commission shall be final.

(Ord. No. NS-2116, § 3, 3-18-91)

Sec. 41-884. - Amendments.

- (a) An application for an amendment to an approved planned sign program may be made at any time, subject to the same limitations, requirements and procedures as apply to an original application, except that tenants whose signs are addressed by the amendment application need the property owner's consent to file such application. Sign program amendment review shall consider existing signs prior to approval or denial of program change.

- (b) The change of copy on a sign, or the substitution of one (1) sign for another, shall not require an amendment to a planned sign program if the change or substitution is limited in effect to changing the identification of a business activity only, and the new or altered sign conforms in all other respects to the approved planned sign program.

(Ord. No. NS-2116, § 3, 3-18-91)

Sec. 41-885. - Regional planned sign program.

a) Definitions:

1. Regional commercial center - A large commercial complex containing a variety of stores, restaurants and other businesses housed in a series of connected and/or adjacent buildings within an integrated campus that shares common areas and parking facilities, and which fronts onto one or more freeways. Said center must be located on a site of no less than fifteen (15) acres.
2. Regional automobile dealership - An automobile dealership licensed by the state that sells new or used automobiles or other motor vehicles in conjunction with new automobiles to the general public on an integrated site which fronts onto one or more freeways or is on a site which is located within three hundred (300) feet of the point where a freeway exit centerline intersects with a city street.
3. Regional attraction - A large cultural or educational establishment such as a museum or zoo, or other establishment that blends education, entertainment, and/or amusement, and which fronts onto one or more freeways. Said attraction must be located on a site of no less than five (5) acres.

b) Eligibility for a regional planned sign program:

1. The sign program is proposed for a site that is a regional commercial center, regional automobile dealership, or regional attraction.
2. The site does not abut property zoned or used for residential uses.

c) Signage and other on-premise advertising must meet the provisions of the sign code meant to protect the health, safety, and welfare of residents and workers in the immediate vicinity; signage shall be limited to only advertising on-site business activities. All signage must comply with the provisions of sections 41-860 and 41-861 of this chapter except as noted within those sections pursuant to approval of a regional planned sign program described in this section.

d) The provisions of this section shall be applied in conjunction with chapter 41, article XI, "On-Premise Signs" of this Code, provided however, in the event of a conflict between the provisions within this section and the remainder of the City of Santa Ana Sign Ordinance as outlined in chapter 41, article XI, "On-Premise Signs," the provisions of this section shall prevail.

e) Electronic message displays may be permitted in regional planned sign programs subject to the following conditions:

1. The display(s) shall comply with the following requirements:
 - A. Be oriented in a way that:
 - i. Minimizes visual and light-emitting intrusion onto properties zoned or used for residential purposes; and,
 - ii. Maximizes visibility from adjacent or nearby freeway corridors.
 - B. Produce a maximum 0.3 foot-candles over ambient light levels.
 - C. Include a means of ensuring additional flexibility in reducing light levels upon request by the city.
 - D. Provide a means of limiting excessive light or glare.

- E. Have automatic dimming capabilities.
- 2. The sign copy shall comply with the following requirements:
 - A. Where screen transitions are used, such transitions shall not give the appearance of moving text or images, and should use smooth effects, such as fades, rather than abrupt transitions. The sign copy shall not use flashing, intermittent or moving lights or produce the optical illusion of movement.
 - B. Each sign copy shall be displayed for a minimum of eight (8) seconds.
- 3. No electronic message display shall be located on a ground sign within fifty (50) feet of a traffic signal or sign, or placed in a location that would not maintain safe conditions for motorists, pedestrians, or cyclists as determined by the public works agency.
- 4. The property owner shall comply with Santa Ana Municipal Code section 41-638.2, establishing standards for graffiti abatement.
- 5. The property owner shall provide the city and the public a designated phone number and email address for emergencies or complaints that will be accessible 24 hours a day, seven days per week.
- 6. In addition to their on-premise advertising and identification purposes, the signs must make available a minimum amount of display time to be used for public service announcements or warning signs as requested and provided by the city of Santa Ana. Such minimum time will be established as a condition of approval for the regional planned sign program.
- 7. The sign shall comply with any and all federal, state and local laws, regulations and permitting requirements.
- f) A regional planned sign program may be submitted by an applicant representing or owning the project site or may be required for a development project when the Planning Director or his or her designee determines that such a sign program is necessary because of special project characteristics.
- g) Applications for regional planned sign programs shall be accompanied by photo simulations of all proposed signage showing daytime and nighttime conditions in addition to standard forms, exhibits, and other materials requested by staff as required for a complete submittal.
- h) Every application under this chapter for a regional planned sign program or appeal to the city council shall be accompanied by a filing fee. No application shall be accepted for filing without the required fee, except that all governmental agencies are exempted from the fee requirement. The city council shall from time to time by resolution adopt a schedule of fees to be charged, a copy of which shall be maintained in the office of the planning department.
- i) An application to permit a regional planned sign program must be approved by the Planning Commission and be reviewed subject to compliance with the following sections of the Santa Ana Municipal Code:
 - 1. 41-633, requiring forms, descriptions, notification of surrounding property owners, and signature(s) from recorded property owner(s), as applicable;
 - 2. 41-635 through 41-637, scheduling for public hearing, providing notice of hearing, and continuances;
 - 3. 41-642, reviewing the decision of the planning commission by the city council;
 - 4. 41-645 and 41-646, processing appeals;
 - 5. 41-647 and 41-647.5, utilizing such permits and violations of such permits;
 - 6. 41-649, modifying such permits; and
 - 7. 41-651, revoking of such permits.

- j) In granting or denying a regional planned sign program, the planning commission shall make the following findings of fact and may impose conditions, restrictions or limitations as the commission may determine to be necessary to meet the general purpose and intent of this chapter and to ensure that the public health, safety and welfare are being maintained. Findings shall be made and conditions may be imposed to confirm that:
1. The scale and intensity of the proposed signage is consistent and harmonious with surrounding land uses and does not create conditions that could contribute to visual or physical blight, intrusion, or similar incompatibilities.
 2. The location of the proposed signage will not contribute towards a hazardous environment for pedestrians, cyclists, or motorists on city streets or freeways.
 3. The proposed signage is compatible with the scale, intensity, and site development characteristics on which it is proposed. Scale, intensity, and site development characteristics may be determined by:
 - A. Height of existing or proposed buildings on-site;
 - B. Quantity of freestanding buildings, facades, and street frontages;
 - C. Scale of buildings as they relate to pedestrian and vehicular access, surrounding land uses, and transportation corridors;
 - D. Visibility from streets, highways, pedestrian areas, rail corridors, bikeways, other transportation routes, parks, and other public spaces;
 - E. Architecture, color(s), material(s), illumination, and other site characteristics; and nature of business activities conducted on-site; and,
 - F. Visibility from any property used or zoned for residential purposes.
- k) Appeals from decisions of the planning commission, extensions, time limits, and modifications to such regional planned sign programs must be conducted in a manner in accordance with chapter 41, article v, division 1 of the Santa Ana Municipal Code.

(Ord. No. NS-2861, § 5, 5-6-14)

Secs. 41-886—41-889. - Reserved.

DIVISION 4. - SIGN PERMITS^[15]

Footnotes:

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Editor's note— Ord. No. NS-2116, § 4, adopted Mar. 18, 1991, repealed former Div. 4, §§ 41-890—41-893, of this article, relative to sign permits for on-premise signs, and enacted similar new provisions in lieu thereof as Div. 4, §§ 41-890—41-894. Formerly, such provisions derived from Ord. No. NS-1721, § 1, adopted Apr. 2, 1984.

Sec. 41-890. - Applications.

Applications for sign permits shall be filed by, or with the written consent of, the property owner on forms required by the zoning administrator and shall be accompanied by the following information:

- (1) A pictorial representation of, and other information about, the proposed sign, disclosing overall dimensions, dimensions of letters and figures, colors, materials, copy, and illumination or movement characteristics, if any.
- (2) A plan of the site on which the proposed sign is to be located showing the location of all existing or proposed signs subject to this article, buildings, parking areas and vehicular accessways.
- (3) A description of the type and dimensions of all other existing or proposed signs on the site which are subject to this article, relating each to the location shown on the site plan.

- (4) Such other information as the zoning administrator deems appropriate to determine compliance with the provisions of this article.

(Ord. No. NS-2116, § 4, 3-18-91)

Sec. 41-891. - Powers and duties for zoning administrator.

- (a) The zoning administrator shall determine whether the proposed sign or sign program is in compliance with this chapter, the provisions of this code and, in addition, where such property is located within a redevelopment project area, shall consider the provisions of the applicable redevelopment plan and any applicable development agreement approved by the city or the Santa Ana Redevelopment Agency. In addition, the zoning administrator shall determine whether or not the purposes and objectives of this chapter have been met and, in that regard, may impose conditions more restrictive than this article to assure that the purposes and objectives of this chapter will be realized. Consideration may be given to site plans, landscaping, general design and development, setback, relationship of such factors to existing development in immediate or surrounding areas, as well as proposed future development in surrounding or immediate areas as indicated on the general plan or any specific plan of the city and any applicable redevelopment plan. Interior design of buildings shall not be considered except as related to the foregoing; nor shall conditions be imposed to require signs obviously incongruous with the property or surrounding areas.
- (b) The zoning administrator, in compliance with the foregoing, may approve, conditionally approve subject to modifications, or disapprove any application for a sign permit to relocate, erect, alter or expand any sign or sign structure subject to the following standards:
 - (1) Such approval does not constitute a special privilege nor available to others in the same circumstances.
 - (2) Such approval is in substantial compliance with the general plan and with any applicable redevelopment or specific plan of the city and any applicable development agreement approved by the city or the Santa Ana Redevelopment Agency.
 - (3) The nature, condition and development of adjacent uses, buildings and structures have been considered, and no approval shall be granted where such approval will adversely affect or be materially detrimental to such adjacent uses, buildings or structures.
 - (4) The sign placement, scale, shape, illumination, size, colors, letter styles, or other design aspect are architecturally appropriate and compatible in relation to the development on and adjacent to the site of the proposed sign. Site development, landscaping, construction, color and material of exteriors, other signs, exterior lighting, uses, occupancy, density, and the entire development plan shall be considered prior to sign approval.

(Ord. No. NS-2116, § 4, 3-18-91)

Sec. 41-892. - Determination by zoning administrator.

If the decision of the zoning administrator should be to approve the sign plans as submitted with only insignificant or minor changes, a permit shall be issued. Otherwise, the zoning administrator shall make no decision until notice to the applicant, giving fourteen (14) days to appear and present evidence on his/her behalf, is made and given. Zoning administrator hearings shall not require notice to anyone other than the applicant. The decision of the zoning administrator shall be final and conclusive and effective five (5) city business days after giving of notice thereof, unless within such five (5) city business days an appeal in writing is filed with the secretary of the planning commission by the applicant.

(Ord. No. NS-2116, § 4, 3-18-91)

Sec. 41-893. - Hearing before the planning commission.

All appeals shall be heard by the planning commission at a public hearing within thirty (30) days of the notice of such appeal, and on at least ten (10) days prior written notice to the applicant and appellant and any person requesting notice of the time and place of such hearing. No other notice of such hearing is required. Such notice of hearing may be waived by any person entitled thereto. The planning commission, in making its determination, shall consider the record before the zoning administrator and such additional evidence deemed relevant and received by it at such hearing. The planning commission, in making such determination, shall be governed by the terms and provisions of this article, and its decision shall be final and conclusive.

(Ord. No. NS-2116, § 4, 3-18-91)

Sec. 41-894. - Removal of temporary signs.

In any case where a permit is issued for a sign or advertising display to be installed for a limited time only, the zoning administrator may require, as a condition of approval of the permit, that the applicant post a cash deposit, in amount of the estimated cost of removal of the sign but not to exceed five hundred dollars (\$500.00) refundable upon removal of the sign, and an agreement to permit the city to enter upon the site and remove and dispose of the sign in the event such sign is not removed when required to be removed.

(Ord. No. NS-2116, § 4, 3-18-91)

DIVISION 5. - ILLEGAL AND NONCONFORMING SIGNS^[16]

Footnotes:

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Editor's note— Ord. No. NS-2116, § 5, adopted Mar. 18, 1991, repealed former Div. 5, §§ 41-895—41-899, of this article, relative to planned sign programs for on-premise signs, and enacted new provisions in lieu thereof as Div. 5, §§ 41-895—41-900. Formerly, such provisions derived from Ord. No. NS-1721, § 1, adopted Apr. 2, 1984.

Sec. 41-895. - Permit requirement.

Except as otherwise provided in this article, no person shall place, paint, erect, move, reconstruct, alter or display any sign structure or allow the same to be done on property occupied or controlled by such person, except in accordance with a permit issued for such sign pursuant to this article.

(Ord. No. NS-2116, § 5, 3-18-91)

Sec. 41-896. - Maintenance of signs.

No person shall allow any sign located on property owned, occupied or controlled by such person to remain in a condition of disrepair for a period of more than thirty (30) days. For purposes of this article, a sign shall be deemed to be in a condition of disrepair if it is in need of replacement of defective or missing parts, has a broken or damaged sign face, or is in need of repainting or cleaning in order to be brought into a reasonably sightly and legible condition.

(Ord. No. NS-2116, § 5, 3-18-91)

Sec. 41-897. - Nuisance abatement.

Any sign installed, altered or maintained in violation of any provision of this article constitutes a public nuisance and is subject to abatement pursuant to Chapter 17 of this Code.

(Ord. No. NS-2116, § 5, 3-18-91)

Sec. 41-898. - Nonconforming signs.

- (a) A nonconforming sign may be maintained subject to the same restrictions as apply to nonconforming uses and buildings pursuant to Article VI of this chapter.
- (b) A nonconforming sign which is relocated on the same site to accommodate a street widening or other public works project shall retain its status as a nonconforming sign, provided the relocated sign is substantially the same as the sign existing prior to the relocation.

(Ord. No. NS-2116, § 5, 3-18-91)

Sec. 41-899. - Loss of nonconforming sign status.

Subject to section 41-898(b), a nonconforming sign becomes an illegal sign and must be removed, altered or changed to comply with all provisions of this article when:

- (1) The sign is structurally altered or expanded.
- (2) The sign has ceased, for a period of ninety (90) days or more, to identify or represent any occupant or activity actually located and operating on the site of the sign. For a multitenant nonconforming freestanding sign, the discontinued business sign shall be blanked out, and when fifty (50) per cent or more of the entire sign is blanked out, then the sign shall be removed or shall comply with the provisions of this part.
- (3) There is damage or destruction to the sign to the extent of more than fifty (50) per cent of the value of the sign.
- (4) The sign face or copy is changed, except that a sheet metal cabinet sign in conformance with an implied or explicit sign program may continue subject to all other provisions of this article.
- (5) The sign is located on a site on which the building exteriors are undergoing remodeling, renovation or rehabilitation.

(Ord. No. NS-2116, § 5, 3-18-91)

Sec. 41-900. - Prohibition of illegal signs.

No person shall install, construct or maintain an illegal sign.

(Ord. No. NS-2116, § 5, 3-18-91)

Secs. 41-901—41-999. - Reserved.

DIVISION 6. - DEFINITIONS¹⁷¹

Footnotes:

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Editor's note— Ord. No. NS-2116, § 6, adopted Mar. 18, 1991, repealed Div. 6, §§ 41-1000—41-1010, relative to sign standards and regulations for on-premise signs, and enacted new provisions in lieu thereof as Div. 6, § 41-1000. Formerly, such provisions derived from Ord. No. NS-1721, § 1, adopted Apr. 2, 1984; Ord. No. NS-1860, § 13, adopted Sept. 15, 1986; and Ord. No. NS-1986, § 4, adopted Dec. 19, 1988.

Sec. 41-1000. - General.

The words and phrases used in this article shall be construed as defined in this division, unless the context clearly required otherwise. Unless specifically defined in this article, the definitions set forth in other provisions of this Code shall likewise apply to this article.

- (1) *Aerial sign*: A free floating balloon, kite, or similar object not directly secured to property within the city.
- (2) *Alter*: To change the copy, color, size, shape, illumination, position, location, construction or supporting structure of a sign, not including ordinary maintenance.

- (3) *Area of a sign*: The entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of writing, representation, logo, or any figure of similar character, together with any frame, background area, structural trim, or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. The supports or uprights on which any such sign is supported shall not be included in determining the sign area. The area of signs with two (2) faces shall be considered to be the area of the largest face. The area of signs with three (3) or more faces shall be considered to be the area of the largest face or one-half (½) the area of all of the faces, whichever is less.
- (4) *Awning sign*: A sign affixed to or imprinted on a temporary shelter composed of nonrigid material on a supporting framework, affixed to the exterior wall of a building.
- (5) *Business activity*: An enterprise offering goods, services, or other consideration to the public, in legal occupancy of a site or of a specific portion of a site and under separate and distinct management from any other enterprise located on the same site.
- (6) *Business frontage*: The horizontal dimension of a building or individual business elevation measured at ground level.
- (7) *Canopy sign*: A sign affixed to any permanent architectural projection extending over a door, entrance, window, or outdoor service area.
- (8) *Changeable copy sign*: A sign or portion thereof which copy is changed manually or electrically, such as readerboards and electronic message boards, without altering the face or surface.
- (9) *Construction sign*: A sign at the site of a construction project which identifies the project and/or the persons or firms involved in it.
- (10) *Directional sign*: A sign erected for the purpose of facilitating or controlling the efficient and safe movement of pedestrians or vehicles on private property and containing only directional information and no advertising.
- (11) *Elevation*: The visible vertical plane of the side of a building from ground level to the roof line.
- (12) *Elevation, primary*: The side of a building directly abutting either a street or a parking area. A business owner may choose which elevation is considered the primary elevation, except that in a multitenant building the elevation which is contiguous to other businesses shall be the primary elevation.
- (13) *Elevation, secondary*: Any elevation of a building not determined to be a primary elevation.
- (14) *Flag canopy*: A line of flags, or a series of lines of flags, suspended above a site.
- (15) *Freestanding sign*: A sign standing directly on the ground that is independent from any building or other structure.
- (16) *Frontage*: The length of a property line along the street that forms its boundary.
- (17) *Frontage, primary*: A frontage which is either abutting a major arterial or is longer than other frontages on lots having two (2) or more frontages.
- (18) *Frontage, secondary*: On a lot with frontage on two (2) or more streets, all frontages except that frontage designated as the primary frontage.
- (19) *Gross leasable space*: A single leasable space regardless of number of tenants or leases within the space.
- (20) *Height of sign*: The overall height of the sign above the top of the curb grade.
- (21) *Illegal sign*: A sign which does not conform to the requirements and standards of this article and which is not a nonconforming sign as hereinbelow defined.
- (22) *Implied sign program*: The predominant pattern of signs within a commercial center which does not have an adopted sign program.

- (23) *Incidental sign*: A sign conveying information that includes, but is not limited to, hours of operation, delivery information, credit cards accepted, and open/closed signs.
- (24) *Integrated development site*: Any commercial site, regardless of the number of lots or individual tenants, that is developed with common parking, layout, architecture or design features.
- (25) *Item of information*: A word, figure, logo, abbreviation, or other symbolic representation.
- (26) *Logo*: A design of letters or symbols used as a trademark or for identification in lieu of, or in conjunction with, other signs.
- (27) *Lot line*: A line that separates two (2) lots.
- (28) *Marquee sign*: A sign affixed to a permanent projection extending from the building or beyond the wall of the building.
- (29) *Monument sign*: A freestanding low profile sign with the sign width greater than the sign height and designed with a solid base and background.
- (30) *Multitenant development*: A development consisting of three (3) or more leasable spaces.
- (31) *Noncommercial sign*: A sign which is not any of the following:
- a. A sign which is designed to promote the sale, lease, or exchange of goods, services, or property.
 - b. A sign which is designed to identify or attract attention to any place which sells, leases, or exchanges goods, services, or property.
 - c. A sign which is designed to identify or attract attention to any church or other place of worship, club, nonprofit facility, governmental office or facility, or other such place where a person, group of persons or organization is engaged in any activity involving interaction with the general public or a significant portion thereof, whether for income purposes or not.
 - d. A directional sign.
 - e. A construction sign.
- (32) *Nonconforming sign*: Any sign which at one time conformed to all applicable requirements and standards of this chapter, including all applicable permit requirements, but which subsequently ceased to so conform due to changes in such requirements and standards.
- (33) *Painted sign*: A sign painted directly on a building or on material which is then attached to a building.
- (34) *Parapet*: A protective wall or barrier projecting above any canopy, balcony, or roof.
- (35) *Permanent sign*: A sign constructed of weather-resistant material and intended for permanent use.
- (36) *Projecting sign*: A sign attached to a building with the face not parallel to the vertical surface of the building.
- (37) *Raceway*: A conduit to house electrical wires for signs and used to support and/or affix signage on a wall.
- (38) *Real estate sign*: A temporary sign pertaining to the sale, lease, or rental of land and/or buildings.
- (39) *Roof line*: The uppermost edge of the roof or the top of the parapet, excluding mechanical equipment screens, whichever is highest. Where a building has several roof levels, the roof line shall be the one belonging to that portion of the building on which the sign is located.
- (40) *Roof sign*: A sign which has a point of attachment to the roof of a building. Architectural projections, including mechanical equipment screens, above any parapet or roof line whose sole function is a background for signs shall be considered a sign structure. A sign on such an architectural projection shall be considered a roof sign.
- (41) *Sign*: Letters, figures, symbols, trademarks, or logos, with or without illumination, intended to identify any place, subject, person, firm, business, product, article, or merchandise. A sign includes all parts, materials, frames, and backgrounds.

- (42) *Signable area*: The area of the largest rectangular portion of a face of a building to which a sign is affixed or proposed to be affixed, which can be included within parallel, vertical and horizontal lines uninterrupted by significant architectural features of the building.
- (43) *Site*: A unit of land, together with all improvements thereon, determined as follows:
- a. A unit of land which may be conveyed separately from any and all adjacent land without the requirement of approval of a tentative map pursuant to the Subdivision Map Act and Chapter 34 of this Code.
 - b. Two (2) or more buildings or business activities that are or will be related to each other physically or architecturally, such as by sharing off-street parking facilities, so as to form an integrated development, such as a shopping center, industrial park or office complex.
- (44) *Special event sign or display*: Signs or advertising displays or combination thereof which advertise or attract public attention to a special one-time event, the opening of a building or business activity, the sale of goods or services at discounted or otherwise specially advantageous prices, or similar event; but excluding signs pertaining to the sale, lease or rental of real estate.
- (45) *Temporary sign*: Any sign that is used only temporarily and is not permanently mounted.
- (46) *Under-canopy sign*: A sign that is suspended below a canopy or marquee perpendicular to the nearest elevation.
- (47) *Unshielded lighting*: An external illumination source which is exposed to view.
- (48) *Wall sign*: A sign which is attached parallel to or painted on a wall, including parapet or canopy fascia, or a building.
- (49) *Width of sign*: The total horizontal dimension of a sign, including all frames or structures.
- (50) *Window sign*: A sign that is attached to or is intended to be seen in, on, or through a window and is visible from the exterior of the window.

(Ord. No. NS-2116, § 6, 3-18-91)

Secs. 41-1001—41-1019. - Reserved.

DIVISION 7. - RESERVED^[18]

Footnotes:

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Editor's note— Ord. No. NS-2803, § 17, adopted June 21, 2010, repealed the former division 7, §§ 41-1020—41-1040 in its entirety, which pertained to downtown district signs, and derived from Ord. No. NS-2117, § 1, adopted March 18, 1991, and Ord. No. NS-2449, §§ 1, 3—9, 11, adopted October 16, 2000.

Secs. 41-1020—41-1099. - Reserved.

ARTICLE XII. - OFF-PREMISE COMMERCIAL ADVERTISING SIGNS

DIVISION 1. - GENERAL PROVISIONS

Sec. 41-1100. - Findings.

The city council finds and determines as follows:

- (1) Excessive commercial advertising signage within the city creates an unsightly appearance and has a blighting influence which is detrimental to the economic base of the city and to property values within the city.
- (2) Excessive distracting signage increases the hazards to motorists and pedestrians on the public right-of-way.
- (3) Commercial signs which identify or advertise goods, services or businesses which are sold or provided on the premises on which the sign is located serve a public purpose in assisting the public to locate desired goods, services or businesses and are a necessary incidental use of

business property, whereas off-premise commercial advertising is a business in itself which does not serve that public interest. Therefore, off-premise commercial advertising signs may be legitimately and reasonably subjected to different and more restrictive regulations than on-premise commercial advertising signs.

- (4) Billboards are installed and maintained primarily for the purpose of carrying commercial advertisements and may be legitimately and reasonably regulated as off-premise commercial advertising signs unless devoted exclusively to carrying noncommercial advertisements.
- (5) Commercial advertising signs are not compatible with areas devoted primarily to residential uses.
- (6) The city has adopted a general plan, five (5) redevelopment plans, and statements of goals and objectives which demonstrate a serious and comprehensive effort to promote the economic development of its commercial and industrial areas. A major part of this effort is concerned with the removal, limitation, or mitigation of those factors which contribute to an unattractive environment in the commercial and industrial areas, one of which is the presence of off-premise commercial advertising signs. Areas having special importance to the economic development of the city can be generally identified by reference to the general plan and the redevelopment plans.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1101. - Purposes.

The purposes of this article are as follows:

- (1) To preserve and improve the appearance of the city as a place to live, work, trade, do business and visit; protect the city from the blighting influence of excessive off-premise commercial advertising signage; and thereby preserve and enhance the economic base of the city and safeguard property values within the city.
- (2) To restrict off-premise commercial advertising signs so as to avoid increasing the hazards to motorists and pedestrians caused by excessive distracting signage.
- (3) To precisely identify areas where the installation of additional off-premise commercial advertising signs should be prohibited due to the importance of such areas to the environmental and economic development goals and objectives of the city.
- (4) To promote the relocation of existing off-premise commercial advertising signs to sites having less adverse effect on the city's goals and objectives, in accordance with Section 5412 of the Business and Professions Code of the State of California.
- (5) To preclude off-premise commercial advertising signs in the residential areas of the city.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1102. - Establishment of "critical development areas" and "improvement areas".

There are hereby established within the city certain areas designated and delineated as "critical development areas" or as "improvement areas" on that certain map adopted by ordinance of the city council and incorporated herein by reference. The boundaries of the areas thus established may be altered only by ordinance of the city council after the proposed alteration has been submitted to the planning commission for review and recommendation.

The "critical development areas" shall be designated and delineated as those areas of the city deemed to have paramount importance to the future economic growth and stability of the city.

The "improvement areas" shall be designated and delineated as those areas which are characterized by a heavy concentration of off-premise commercial advertising signs and which have a secondary importance to the future economic growth and stability of the city.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1103. - Definitions.

As used in this article, the following words shall have the following respective meanings:

- (a) *Outdoor advertising sign* means a sign, display, or device affixed to the ground or attached to or painted or posted on to any part of a building or similar permanent structure used for the display of an advertisement to the general public when viewed from outside of a building or similar enclosed area.
- (b) *Commercial advertisement* means any advertisement which has, as its primary purpose, the promotion of the sale of goods or services by a commercial business or enterprise to the public generally or any significant part thereof.
- (c) *Noncommercial advertisement* means any advertisement other than a commercial advertisement.
- (d) *On-premise advertisement* means any commercial advertisement which pertains solely to goods or services which are produced or offered for sale on the premises where the advertisement is displayed.
- (e) *Off-premise advertisement* means any commercial advertisement other than an on-premise advertisement.
- (f) *Off-premise commercial advertising sign* means any outdoor advertising sign which is not used exclusively for on-premise advertisements and/or noncommercial advertisements.
- (g) *Construct*, when used with reference to a sign, means to install, erect or place on the ground or on a building or structure or to affix, paint, or post on or to a building or structure.
- (h) *Relocate*, when used with reference to a sign, means to move a sign from one location to another or to remove a sign from one location and construct a similar sign at another location.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1104. - Reserved.

Sec. 41-1105. - Application to existing signs.

Any off-premise commercial advertising sign which was constructed in conformance with the requirements of this chapter as they existed at the time of such construction, but which is not in conformance with the requirements of this article, shall be deemed a legal nonconforming use for purposes of this chapter, and may be maintained subject to the restrictions and limitations imposed on nonconforming uses by this chapter. Such signs may be compelled to be removed through amortization subject to the requirements and limitations imposed by Sections 5412 through 5412.4 of the Business and Professions Code of the State of California, the provisions of which, as they may from time to time be amended, are incorporated herein by this reference.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1106. - Fees.

The city council may, by resolution, establish fees for any or all of the administrative processes established by this article.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1107. - Commercial and noncommercial messages.

Nothing in this article shall be deemed to prohibit or restrict the use of any sign authorized by this article for any noncommercial message. No permit required for any sign under this Article shall be granted, conditioned, or denied based on the content of the message displayed by such sign, whether such message is commercial or noncommercial in nature.

(Ord. No. NS-1927, § 6, 9-8-87)

Secs. 41-1108—41-1109. - Reserved.

DIVISION 2. - PROHIBITIONS

Sec. 41-1110. - Permit requirement.

No off-premise commercial advertising sign shall be constructed, relocated or maintained without a permit for such sign issued in accordance with Division 3 of this article.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1111. - Exclusion from residential areas.

No off-premise commercial advertising sign shall be constructed in or relocated into any of the following use districts, including any of the following use districts combined with a PD, PRD, SD, or other suffix designation:

A1	(General Agricultural);
RE	(Residential Estate);
R1	(Single-Family Residence);
R2	(Multiple-Family Residence);
R3	(Medium-Density Multiple-Family Residence);
R3H	(High-Density Multiple-Family Residence);
R4	(Suburban Apartment);
P	(Professional);
CD	(Civic Development).

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1112. - Exclusion from critical development areas and improvement areas.

Except as provided in section 41-1130, no off-premise commercial advertising sign shall be constructed, relocated or maintained in any critical development area or in any improvement area.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1113. - Other location restrictions.

No off-premise commercial advertising sign shall be constructed, relocated or maintained:

- (a) Within seven hundred fifty (750) feet of a freeway right-of-way;
- (b) Within eight hundred (800) feet of a previously constructed off-premise commercial advertising sign, measured at a radius; or
- (c) Within three hundred (300) feet of any parcel of real property which is zoned or used for residential purposes.

(Ord. No. NS-1722, § 1, 4-16-84; Ord. No. NS-1927, § 1, 9-8-87)

Sec. 41-1114. - Size restrictions.

No off-premise commercial advertising sign shall be constructed, relocated or maintained unless it complies with the following restrictions:

- (a) The signs, including all extensions, shall not exceed thirty-five (35) feet in height, measured from curblineline or grade, whichever is lower. As used "curblineline" means the elevation of the edge of the street nearest the sign, and "grade" means the elevation of the ground where the sign is located.
- (b) The sign face, excluding all extensions, shall not exceed three hundred (300) square feet in area.

(Ord. No. NS-1722, § 1, 4-16-84; Ord. No. NS-1927, § 2, 9-8-87)

Sec. 41-1115. - Visual and maintenance standards.

No off-premise commercial advertising sign shall be constructed, relocated or maintained unless it complies with the following requirements:

- (a) The sign structure shall be architecturally treated so as to screen the frame, poles, support structures and lighting from public view. The color and materials of this architectural treatment shall be in conformance with the architectural plan approved pursuant to Division 3 of this article. All screening materials, including painting, shall match and be compatible with buildings on the same site as the sign, and shall include, without limitation, wood, aluminum, fiberglass or similar treatments. The painting and screening materials are subject to approval by the planning commission.
- (b) The sign shall be continuously maintained in an attractive, clean, and safe condition.

(Ord. No. NS-1722, § 1, 4-16-84; Ord. No. NS-1927, § 3, 9-8-87)

Sec. 41-1116. - Design restrictions.

No off-premise commercial advertising sign shall be constructed, relocated or maintained unless it complies with the following restrictions:

- (a) No part of the sign shall project over any building or the public right-of-way.
- (b) The total area of extensions or temporary additions of the base rectangular sign face shall not exceed fifteen (15) per cent of the area of the base rectangular sign face.
- (c) The sign shall not be illuminated by either exterior or interior lighting.
- (d) The sign shall not incorporate any mechanical movement or any flashing, moving, or intermittent lighting.

(Ord. No. NS-1927, § 4, 9-8-87)

Secs. 41-1117—41-1119. - Reserved.

DIVISION 3. - PERMIT PROCEDURES

Sec. 41-1120. - Applications.

Applications for permits for off-premise commercial advertising signs shall be filed with the zoning administrator, on such forms as may be provided by him, and shall contain or be accompanied by the following information:

- (1) A pictorial representation of the proposed sign, disclosing overall dimensions.
- (2) A plan of the site on which the proposed sign is to be located, disclosing the location of the sign in relation to other improvements on the site.
- (3) A description of the proposed architectural treatment of the sign structure, disclosing proposed colors and materials.

- (4) Such other information as the zoning administrator deems appropriate to determine compliance with the provisions of this article.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1121. - Determination by zoning administrator.

The zoning administrator shall review each application for a permit filed under section 41-1120 and shall make a decision thereof within twenty-one (21) calendar days after filing, except that such time limit shall be extended as necessary to allow for the consideration of a relocation agreement pursuant to Division 4 of this article whenever a request for such an agreement has been made by the applicant. If the proposed sign complies with this article and all other requirements of the law, and if the colors and materials of the architectural treatment required by section 41-1115 are reasonably attractive and suitable for the purpose of providing the required screening, the permit shall be issued based upon application as submitted. If the proposed sign can be brought into such compliance by modifications in the proposal, the permit shall be issued subject to conditions requiring such modifications. Otherwise, the application shall be denied.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1122. - Review by the planning commission.

If the applicant is aggrieved by any determination of the zoning administrator with respect to the architectural treatment required for the sign, he may request review of that issue by the planning commission. In such event, the applicant shall be afforded a reasonable opportunity to be heard on that issue by the planning commission. A report of the decision of the planning commission shall be prepared by the zoning administrator and forwarded to the city council. If the city council desires to review the decision of the planning commission it may, after first giving the applicant a reasonable opportunity to be heard, itself make the final decision of the issue. Otherwise, the decision of the planning commission shall be final.

(Ord. No. NS-1722, § 1, 4-16-84)

Secs. 41-1123—41-1129. - Reserved.

DIVISION 4. - RELOCATION AGREEMENTS

Sec. 41-1130. - Relocation agreements generally.

An off-premise commercial advertising sign may be relocated within or into an improvement area provided an agreement for such relocation between the sign owner and the city is approved by the city council. The city council may approve such a relocation agreement if the sign will, upon its relocation comply with the requirements of this article, and if, in the opinion of the city council, the relocation will, on balance, promote the purposes of this article. The relocation agreement shall contain such terms and conditions pertaining to the relocation and future maintenance of the sign as are consistent with this article and mutually agreeable to the parties thereto. The sign owner shall be given an opportunity to address the city council prior to any action being taken by the city council on the relocation agreement.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1131. - Requests for consideration of relocation agreements.

The owner of any off-premise commercial advertising may request an agreement for the relocation of the sign by submitting such request to the zoning administrator. The zoning administrator, as a condition to responding to the request, may require such information from the sign owner as is reasonably necessary to determine whether the sign will or can be made to conform to the requirements of this article at the location to which it is proposed to be relocated. If the zoning administrator determines such compliance is not possible, he shall so notify the sign owner and need not take any further action on the request. If the zoning administrator determines such compliance is possible, he shall cooperate with the sign owner in the preparation of a mutually agreeable draft relocation agreement. In the event of disagreement between the sign owner and the zoning administrator concerning the proposed terms and conditions of the relocation

agreement, the sign owner shall be entitled to have his own draft of the proposed relocation agreement submitted to the city council for its consideration.

(Ord. No. NS-1722, § 1, 4-16-84)

Sec. 41-1132. - Review by the planning commission.

Prior to submission of a proposed relocation agreement to the city council, it shall be submitted to the planning commission for review and recommendations. The sign owner shall be given a reasonable opportunity to address the planning commission prior to any action being taken by the planning commission on the relocation agreement.

(Ord. No. NS-1722, § 1, 4-16-84)

Secs. 41-1133—41-1199. - Reserved.