

ORDINANCE #2011- 3

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON
AMENDING CHAPTER 19.23 OF THE MUNICIPAL CODE RELATED TO THE FORMER
COUNCILMEMBER ED WEST SIGN ORDINANCE (FILE NO. PL 09-0023)**

WHEREAS, pursuant to Section 65300 of the State Planning and Zoning Law, the City of American Canyon adopted a Zoning Ordinance in 1996 to implement the General Plan and regulate the use of land, buildings and structures, the size and use of lots; the intensity of land uses; and to establish other requirements to provide a clear and concise guide for the physical development of the City and to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity, and general welfare; and

WHEREAS, Zoning Ordinance Chapter 19.48 provides that the City Council may amend the Zoning Ordinance after the amendment is referred to the Planning Commission for review and recommendation to the City Council; and

WHEREAS, the proposed Zoning Ordinance Amendments are exempt from California Environmental Quality Act (CEQA) in accordance with Section 15311 – Accessory Structures; and

WHEREAS, a subcommittee of the American Canyon Chamber of Commerce met regularly during 2009 and 2010 with the leadership of former Councilmember Ed West to help define the areas of greatest need for the sign ordinance; and

WHEREAS, the City Council of the City of American Canyon held three Sign Ordinance workshops and the Planning Commission held one workshop and two public hearings regarding the Sign Ordinance; and

WHEREAS, on February 24, 2011, the Planning Commission unanimously recommended City Council approval of the proposed sign ordinance; and

WHEREAS, a duly-noticed public hearing was held by the City of American Canyon City Council on May 3, 2011 at which time all those in attendance were given the opportunity to speak on the proposal; and

WHEREAS, the City Council considered all of the written and oral testimony presented at the public hearing in making its decision.

NOW, THEREFORE, the City Council does hereby ORDAIN as follows:

SECTION 1. Findings. Based on the following evidence and as required by Zoning Ordinance Section 19.48.040 C, that:

- a. The amendment is consistent with the goals and policies of the General Plan.

The proposed amendment complies with the goals and policies of the General Plan, including General Plan Objective 3.3 to expedite the growth of job-generating, quality businesses by streamlining City application procedures. The sign ordinance amendment clarifies regulations and provides greater opportunities for signs that will serve our business community and nonprofit and noncommercial speech.

- b. The amendment is consistent with the purposes of the Zoning Ordinance, as set forth in Chapter 19.01, Authority, Purposes, and Effects of the Zoning Ordinance.

The amendment is consistent with the purpose of the Zoning Ordinance to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity,

and general welfare because the sign ordinance will enhance sign opportunities without causing visual clutter.

SECTION 2. Repeal and replace Municipal Code Chapter 19.23 with the following sign ordinance regulations:

Chapter 19.23
SIGN REGULATIONS

Sections:

- 19.23.010 Purpose and intent.**
- 19.23.020 Applicability.**
- 19.23.030 Definitions and interpretation.**
- 19.23.040 Regulation of political signs.**
- 19.23.050 Exempt signs.**
- 19.23.060 Prohibited signs.**
- 19.23.070 Sign Permit Requirements.**
- 19.23.080 Sign Computation**
- 19.23.090 Sign Illumination**
- 19.23.100 Design, construction and maintenance.**
- 19.23.110 Sign programs.**
- 19.23.120 Permitted Signs.**
- 19.23.130 Nonconforming signs.**
- 19.23.140 Sign removal.**
- 19.23.150 Exceptions.**

19.23.010 Purpose and intent.

- A. Purpose. The purpose of these sign regulations is to:
 - 1. Encourage the effective use of signs as a means of communication in the city while avoiding visual clutter;
 - 2. Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development;
 - 3. Protect and improve pedestrian and traffic safety;
 - 4. Minimize the possible adverse effect of signs on nearby public and private property;and
 - 5. Enable the fair and consistent enforcement of these sign restrictions and implement the goals and policies of the general plan and further the purposes of the zoning ordinance.
- B. Intent. The intent of this chapter is to:
 - 1. Establish a permit system to allow a variety of types of signs in commercial and industrial districts, and a limited variety of signs in other districts, subject to the standards and the permit procedures of this chapter;
 - 2. Allow certain signs that are small, unobtrusive, and incidental to the principal use of the sites on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits;
 - 3. Prohibit all signs not expressly permitted by this chapter;

4. Abate nonconforming signs; and
5. Provide for the enforcement of the provisions of this chapter.

(Ord. 2001-02 § 1 (part), 2001)

19.23.020 Applicability.

A sign may be constructed, erected, placed, established, painted, created or maintained in the city only in conformance with the standards, procedures, exemptions and other requirements of this chapter. (Ord. 2001-02 § 1 (part), 2001)

19.23.030 Definitions and interpretation.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined elsewhere in the zoning ordinance shall be given the meanings set forth in the ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

“ABANDONED SIGN” means a sign that was legally erected, but whose use has ceased, has not been used to identify an ongoing business, product, or service available on-site, or the structure upon which the display is placed has been abandoned or not maintained for a period of ninety (90) days or more.

“A-FRAME SIGN” means a freestanding sign usually hinged at the top, or attached in a similar manner, and widening at the bottom to form a shape similar to the letter A. Such signs are usually designed to be portable, hence they are not considered permanent signs.

“ALTERATION” means any change of copy, sign face, color, size, shape, illumination, position, location, construction or support of any sign or advertising device.

“ANIMATED SIGN” means any sign that uses movement or change of lighting to depict action or create a special effect or scene, or gives the visual impression of such movement.

“ANCILARY SIGN” means secondary or subordinate signage. See Incidental Sign.

“ARCHITECTURAL ELEMENT” means an integrated component of the design of a building, including walls, windows, entryways, rafters, roofs, neon bands and other physical components.

“AWNING SIGN” see “CANOPY SIGN.”

“BALLOON” means a flexible, nonporous bag or similar object capable of being filled with air or gas such as helium. See also Inflatable sign.

“BANNER” means any sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind. National flags, flags of political subdivision, and symbolic flags of any institution or business are not considered to be banners.

“BEACON” means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light sources; also, any light with one or more beams that rotate or move.

“BENCH SIGN” means a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

“BILLBOARD” means a sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which the sign is located (also known as an off-site sign)

“CABINET SIGN” is a geometrically-shaped sign consisting of a rigid frame, which supports sign face panel(s) and/or a background constructed of plastic or similar material, and which may have an internal light source.

“CANOPY SIGN” means a sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

“CHANGEABLE COPY SIGN” means a sign or portion thereof with characters, letters, or

illustrations that can be changed or rearranged without altering the face or the surface of the sign.

“CHANNEL LETTERS” means individual letter or figures, illuminated or nonilluminated affixed to a building or freestanding sign structure.

“COLONIAL POST” means a temporary real estate sign constructed of a single vertical post, not to exceed six feet, with a horizontal crossbar from which a real estate identification sign is suspended.

“COMMERCIAL CENTER” means a commercial development consisting of two or more businesses. The businesses may be in individual buildings or clustered in multiple buildings.

“COMMERCIAL MESSAGE” means any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity.

“CONSTRUCTION SIGN” means any structure, housing, device, figure, statuary, painting, display, message placard, or other contrivance, or any part thereof, which is designed, constructed, created, engineered, intended or used to advertise or to provide data or information on the nature of advertising for any of the following purposes: to designate, identify or indicate the name of the business of the owner or occupant of the premises upon which the advertising display is located; or, to advertise the business conducted, services available or rendered, or the goods produced, sold, or available for sale, upon the property where the advertising display is erected.

“DAMAGED SIGN” or “SIGN IN DISREPAIR” means any sign which has sustained physical damage or deterioration by intentional or unintentional means or through normal exposure to the elements over time.

“DESIGN STANDARDS” means a detailed description of prescribed sign type, size, illumination, location, construction, materials, text, font, and colors for a commercial center or specific site.

“DIRECTIONAL SIGN” means a sign that is limited to directional messages, principally for pedestrian and vehicular traffic, such as “no parking,” “entrance,” “loading only,” “telephone,” and other similar directives, and contains no commercial message of any kind.

“DIRECTOR” means the Community Development Director for the City of American Canyon or his or her duly authorized representative.

“DIRECTORY SIGN” means a sign for listing the tenants or occupants of their suite numbers of a building center.

“DOUBLE-SIDED SIGN” means a single structure designed with the intent of providing copy on both sides.

“DRIVE-THROUGH SIGNAGE” includes any signs associated with a drive-through feature of a development, including, but not limited to menu boards, height clearance bars, directional signage, and speaker boxes.

“EAVE LINE” means the bottom of the roof eave or parapet.

“ELECTRONIC MESSAGE BOARD SIGN” means any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and their rate of change is electronically programmed and can be modified by electronic processes.

“FLAG” means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

“FLASHING SIGN” means any sign which contains or is illuminated by lights which are intermittently on and off, and change the intensity or create the illusion of flashing in any manner.

“FREESTANDING SIGN” means a sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

“FUEL PRICE SIGN” means a permanent sign subject to state regulation, usually of a monument type, containing the prices and grades of fuel for sale at an automobile service station.

"FUTURE FACILITY SIGN" means a temporary sign denoting sale, lease, rental of a site that is under construction, or future use of a site or building.

"GARAGE SALE SIGN" means a temporary sign announcing the limited sale, from a private resident, of goods, furniture, clothing, or similar articles.

"GOVERNMENT OFFICIAL SIGNAGE" means a sign displaying information pertaining to services offered by city, county, state, or other official government agencies.

"HANGING SIGN" means a sign hanging from a building canopy, arcade, or other structural member.

"HOLIDAY LIGHTING" means strings of lights not permanently mounted to a rigid background between the week of Thanksgiving and January 12.

"HUMAN SIGN" means any person, live or simulated, attempting to attract the attention of a motorist by: (i) wearing a costume or uniform; (ii) holding a sign or prop; or (iii) making physical gestures.

"IDENTIFICATION SIGN" means, generally, any sign that identifies the business, service, or specific type of land use.

"ILLEGAL SIGN" means any of the following: a sign erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use; a sign that was legally erected which later became nonconforming as a result of the adoption of a chapter; a sign which is a danger to the public or is unsafe; a sign which is a danger to the public or is unsafe; a sign which is a traffic hazard not created by relocation of streets or highways or by acts of the city or county.

"INCIDENTAL SIGN" means sign intended for informational purposes as opposed to commercial or advertising purposes. Typically smaller in size, examples of incidental signs include parking signs, restroom signs and entrance and exit signs. See Ancillary sign.

"INCIDENTIAL WINDOW/DOOR SIGN" means incidental signs displaying business information (hours of operation, menus, credit card placards, phone number, or other non-profit activities, etc.) and which do not constitute advertising.

"INFLATABLE SIGN" means a sign made of flexible material or fabric that is made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Commonly used as a temporary sign for special events or promotions. See also "Balloon".

"INTERIOR SIGN" means a sign located more than three feet inside of a building (not a window sign).

"KIOSK" means an off-premise sign used for directing people to the sales office or models of a residential subdivision project.

"LOGO" means a name, symbol, or registered trademark of a company, business or organization.

"LOT" means any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record that is recognized and intended as a unit for the purpose of transfer of ownership.

"MARQUEE" means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

"MARQUEE SIGN" means any sign attached to, in any manner, or made a part of, a marquee.

"MOBILE SIGN" means signs attached to or painted on vehicles used for the purpose of transporting personnel or goods as part of the day-to-day operations of a business. A sign attached to or printed on a vehicle not used for this purpose is considered a portable sign.

"MONUMENT SIGN" means an independent structure supported from grade to the bottom of the sign with the appearance of having a solid base.

"MOTION PICTURE THEATER MARQUEE" means a marquee associated with a building containing a motion picture theater (see "marquee" and "marquee sign").

"MULTITENANT" means a building occupied by more than one (1) business or organization.

"MUNICIPAL SERVICES SIGN" means any sign specifically sanctioned by the City Council that serves a directional or informational purpose. Examples include decorative holiday banners on street lights and civic events such as a Fourth of July parade.

"MURAL" means a display or illustration painted on a building or wall within public view.

"NEON BAND" means a neon light tube used to accent the lines of a sign or building, which follows the building form of the structure.

"NEON SIGN" means any glass tube lighting in which a gas and phosphors are used in combination to create a colored sign.

"NONCONFORMING SIGN" means a permanent sign legally erected, established and maintained in conformance with the applicable ordinances at the time of original installation, but which does not conform to the number, size, placement, or other physical requirements of this chapter.

"NON-COMMERCIAL SIGN" means a temporary banner sign located on private property that does not propose a commercial transaction and may not advertise a business.

"OFF-SITE SIGN" means any sign which advertises or informs in any manner businesses, services, goods, persons or events at some location other than that upon which the sign is located. Off-premises sign and off-site sign are equivalent terms.

"ON-SITE SIGN" means any sign which directs attention to an occupancy, business, service or activity conducted, sold or offered upon the premises where the sign is located.

"PAINTED SIGN" means any sign which consists of paint or a similar substance applied directly to a building surface, such as a wall, window, rafter, canopy support, or applied directly to the surface of a sign face or structure.

"PARAPET" means an architecturally integrated low wall, railing, or screen to protect the edge of a building's platform or roof.

"PENNANT" means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

"POLE SIGN" means any sign which is elevated from grade by one (1) supporting member, pole or structure higher than one (1) foot mounted in or upon the ground and independent of support from any building.

"POLITICAL SIGNS" means a sign erected prior to an election to advise or identify a candidate, campaign issue, election proposition, or other related matters.

"PORTABLE SIGN" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames upon approval of a sign permit; menu and sandwich board signs; balloons used as signs; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.

"PREMISES" means any building, property or other area upon which business is conducted in the City of American Canyon including the parking area provided for customers.

"PRIMARY BUSINESS FACADE" means the width of the exterior wall of a business most exposed to public view.

"PROJECTING SIGN" means a sign affixed to a building or wall in such a manner that its leading edge extends in a perpendicular manner more than twelve inches beyond the surface of such building or wall.

"PUBLIC RIGHT-OF-WAY" means any area of real property dedicated to or owned in fee by the city or the public or any other public body, or over which the city or the public or any other public body holds an easement for public street, alley, sidewalk, pedestrian, equestrian, or public utility purposes which is within the city boundaries excluding areas of real property which are on, or adjacent to, the side or rear yard of any parcel or any area within the curtilage of any parcel.

"PYLON SIGN" means a sign with visible support structure or with the support structure enclosed with a pole cover.

"RACEWAY" means an enclosed conduit that forms a physical pathway for electrical wiring.

"REVOLVING SIGN" means a sign, which all or a portion of, may rotate either on an intermittent or constant basis.

"ROOF SIGN" means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

"ROOF SIGN, INTEGRAL" means a sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

"SEASONAL DECORATIONS" means any lights, signs, or accessories which are applied or installed on a temporary basis for the purpose of acknowledging holidays or seasons, but not for advertising.

"SIGN" means any object, device, display, or structure, or part thereof, situated outdoors or indoors, that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

"SIGN AREA" see Section 19.23.080 of this chapter.

"SIGN COPY" means any words, letters, numbers, figures, designs or other symbolic representations incorporated into a sign.

"SIGN FACE" means the surface, or that portion that is visible from a single point as a flat surface or a plane, and considered as such, together with the frame and the background.

"SIGN FEATURE" means a unique, artistic, two- or three-dimensions image reflective of a company's use, product or service.

"SIGN HEIGHT" means the written dimension of a sign as computed by Section 19.23.080 of this chapter.

"SINGLE TENANT BUILDING" means a building occupied by a single business or organization.

"SITE" means contiguous parcels that are linked by shared access and parking. Site also applies to contiguous parcels that share a Sign Program.

"SNIPE SIGN" means any sign, usually found off-site (except campaign signs), made of cloth, paper, cardboard, poster material, plastic, metal or other material affixed to or upon fences, posts, trees, buildings, people, or other structures or surfaces.

"SPECIAL EVENT SIGN" means a temporary sign used to publicize a special event, such as a grand opening, charitable or civic event, or promotional sales for a period no longer than thirty consecutive days and not more than twice a year on the same parcel. Special event signs require the approval of the community development director for conformance to the city's zoning ordinance prior to installation.

"SPECIAL SIGN DISTRICT" means a specific geographic area that possesses a unique identity and warrants a cohesive sign program that defines the area as a distinctive economic district (i.e.: Commercial zone properties adjacent to Highway 29, and/or Industrial zone properties).

"STAKE SIGN" means any sign supported by stake-like structures or supports that is placed on, or anchored in, the ground and that is independent of any building or other structure.

"STREET" means a strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property, including, but not limited to, highways, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails, or other thoroughfares.

"STREET FRONTAGE" means the distance for which a lot line of a lot adjoins a public street, from one lot line intersecting the street to the furthest distance lot line intersecting the same street.

"SUBDIVISION SALES AND MODELHOME DIRECTIONAL SIGN" means a sign within a residential tract or a main street entrance providing direction to a residential land development project.

"SUSPENDED SIGN" means a sign that is suspended from the underside of a canopy, eave or marquee and is supported by such surface.

"TEMPORARY SIGN" means any sign that is used only temporarily and is not permanently mounted, such as signs to promote the sale of new products, new management, new hours of operation, a new service, or a special sale.

"T FRAME SIGN" means a portable sign constructed of wire and paper not permanently attached to the ground or other permanent structure that resembles a T shape due to the exterior wire frame.

"TRAVEL DIRECTORY SIGN" means a sign to inform the motorist as to the route or direction to travel in order to arrive at the residential subdivision development project for sale or rent to which it pertains. See Kiosk sign.

"VEHICLE SIGN" means a sign which is attached to or painted on a vehicle which is parked on or adjacent to any site, the principal purpose of which is to attract attention to a product sold or an activity or business located on such site.

"WALL SIGN" means a sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

"WINDOW SIGN" means any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed within three feet inside a window or upon the window panes or glass and is visible from the exterior of the window.

(Ord. 2006-04 § 1, 2006; Ord. 2001-02 § 1 (part), 2001)

19.23.040 Regulation of political signs.

In addition to those signs exempt from regulation pursuant to city code Section 19.23.050, political signs as defined by city code Section 19.23.030 shall also be exempt subject to compliance with all of the rules and all of the regulations set forth in subsection A of this section.

A. Regulations. The placement or installation of political signs in the city shall in all respects comply with the following:

1. No political signs shall be installed or displayed sooner than one hundred and twenty days preceding the election for which the sign is intended;
2. No political sign shall be lighted either directly or indirectly;
3. No political sign shall be placed on private property, vacant or otherwise, without the permission of the owner of the property;
4. No political sign shall be posted on any public property or in the public right-of-way;
5. No political signs shall be posted in violation of any other provisions of the municipal code;

6. All political signs shall be removed within ten days and recycled by the department of public works after the date of the election except that a sign on behalf of a candidate who is successful in a primary election may be retained for the general election. Removal of political signs shall be the responsibility of the property owner;

7. No political sign may be placed within twenty-five feet of any existing commercial or non-profit sign on any one property;

8. The city manager and/or his or her designee shall have the right to immediately remove all signs which obstruct visibility on city streets or which constitute a traffic hazard not created by relocation of streets or highways or by acts of any city or county or could contribute to a dangerous condition of public property consistent with the procedures for removal of hazardous political signs under subsection 10 of this section;

9. The city manager and/or his or her designee shall have the right to remove all signs placed contrary to any provisions of this section consistent with the procedures for removal of non-conforming political signs under subsection 11 of this section;

10. When it is determined that the sign in question poses an imminent safety hazard or dangerous condition, such sign may be removed immediately and stored by the city manager and/or his or her designee. As soon as possible following removal, the owner, if known, shall be given a notice of violation and the right to a hearing by requesting such hearing within five days of receipt of the notice of removal. The hearing shall be held before the city manager or his or her designee within ten days of receipt of the written request for the hearing. The owner and the city shall be permitted to present evidence and cross examine each other's witnesses. At the conclusion of the hearing, the city manager or his or her designee shall prepare a written decision. This decision shall be delivered to the owner personally or by certified mail within ten days of the hearing. The city manager's and/or his or her designee decision shall be final. If the owner establishes such removal to be improper, the owner shall be entitled to a return of the signs without charge. In all other cases the sign will be returned to the owner only upon payment of removal and storage costs. If the sign is not claimed within thirty days after the decision becomes final, the sign may be destroyed. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign;

11. The city manager or his or her designee shall remove or cause the removal of any political sign constructed, altered or maintained in violation of this section. Such removal may occur fifteen days after the date of mailing of registered or certified written notice to the owner of the sign, if known, at the last known address or to the owner of the property as shown on the latest assessment roll, or to the occupant of the property at the property address. The notice shall describe the sign and specify the violation involved, and indicate that the sign will be removed if the violation is not corrected within fifteen days. If the owner disagrees with the opinion of the city manager, the owner may, within the fifteen-day period, request a hearing before the city manager to determine the existence of a violation. At the conclusion of the hearing, the city manager or his or her designee shall prepare a written decision. This decision shall be delivered to the owner personally or by certified mail within ten days of the hearing. The city manager's decision shall be final. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign;

12. The city council shall from time to time establish procedures by resolution providing for forfeitable deposits by candidates posting political signs within the city.

B. Unauthorized Removal of Political Signs. No person shall remove, destroy, relocate, or otherwise disturb any political sign without the permission of the party who erected the sign. It shall be presumed, as to signs for political candidates, that the political candidate or his or her representative is the party who erected the sign. It shall further be assumed that the committee who has registered with the Secretary of the State to support a position on a ballot proposition is the party who erected the sign taking the position on a ballot

measure. Nothing in this subsection shall prohibit the owner of real property, or his or her authorized representative, from removing a sign from his or her property when the political sign has been erected without his or her consent; and provided, further, nothing in this subsection shall prevent the

director of public works or his or her authorized representatives from taking action to abate sign violations pertaining to political signs pursuant to Section 19.23.140 of this chapter. (Ord. 2008-07 § 1, 2008; Ord. 2006-04 § 3, 2006)

19.23.050 Exempt signs.

The following signs shall be exempt from regulation under this chapter:

A. Any government official sign, public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance, including, but not limited to, street signs, directional signs, mileposts, mile boards, guide boards or guideposts, warning signs, notices or sign

B. Painting, cleaning, exact replacement and normal maintenance and repair of a sign;

C. Any sign inside a building, not attached to a window or door, and not legible from a distance of more than three feet beyond the lot line of the lot or parcel on which such sign is located;

D. Signs located within malls, courts, arcades, porches, patios and similar areas where such signs are not visible from any point on the boundary of the site. Such signs are not, however, exempt from structural, electrical or material specifications as set forth in the Uniform Building Code;

E. Holiday lights and decorations with no commercial message placed no more than six weeks prior to, and ten days after the associated holiday;

F. Traffic control signs on private property with messages, such as "Stop," "Yield," and similar sign, the face of which meet California Department of Transportation standards and bear no commercial message.

G. Commemorative plaques of recognized historical societies and organizations;

H. Signs on vehicles that provide public transportation, including, but not limited to, buses and taxicabs;

I. Signs on licensed commercial vehicles, including trailers that are painted on the vehicle or attached to its doors; provided, however, that such vehicles are not utilized as parked or stationary outdoor display signs;

J. One sign attached to and parallel to the front of a building or occupant entrance of up to two square feet in sign area, that contains no commercial message;

K. One sign per residential unit not exceeding four square feet or three feet in height;

L. One unlighted real estate sign post per residential unit, not exceeding 12.5 square feet in sign area cumulative for all signs displayed on the sign post ~~or~~ and no more than five feet in height;

M. Directional signs for directing prospective buyers to property offered for sale not exceeding four square feet in area and three feet in height. Such assigns shall be located outside of any public right-of-way and may be displayed for up to forty-eight hours;

N. Flags of the United States, state of California, city of American Canyon and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction flown from a pole the height of which is no more than the maximum permitted height for structures in the applicable zoning district. Any flag not meeting any one of these conditions shall be considered a banner sign and shall be subject to regulation as such;

O. Notwithstanding any provisions in this chapter to the contrary, no commercial or special event signs will be allowed on public property or the public right-of-way except road signs, such as, but not limited to directional, warning or information signs or structures required or authorized by law or the federal, state, county or city authority, or necessary for the ordinary operation of the city or other state or federal agencies, or necessary for the maintenance of the public safety or welfare. (Ord. 2008-07 § 2, 2008; Ord. 2006-04 § 2, 2006; Ord. 2001-02 § 1 (part), 2001)

19.23.060 Prohibited signs.

All signs not expressly permitted or exempt from regulation under this chapter are prohibited. Prohibited signs include, but are not limited to:

- A. Abandoned signs
- B. Animated, moving and flashing signs;
- C. Beacons;
- D. Damaged signs;
- E. Flashing signs;
- F. Human signs;
- G. Illegal signs, as defined in this chapter;
- H. Inflatable signs and tethered balloons, except as allowed in this chapter;
- I. Loudspeakers or signs which emit sound, odor, or visible matter, except as provided for within this Sign Ordinance;
- J. Off-site subdivision directional signs except as may be approved under a sign program;
- K. Off-site signs identifying a use, facility or service other than those that may be expressly permitted by this chapter.
- L. Roof signs;
- M. Strings of lights not permanently mounted to a rigid background, except those exempt by this chapter;
- N. Windblown devices, such as pennants, streamers, balloons, and permanent banners, or as expressly exempt by this chapter
- O. Monument signs with a translucent face.
- P. Signs with exposed or exterior raceways.
- Q. T Frame Signs.

(Ord. 2001-02 § 1 (part), 2001)

19.23.070 Sign Permit Requirements.

The following procedures shall govern the application for, and the issuance of, all sign permits under this chapter:

- A. Permit Not Required. Signs that are regulated by this chapter but that do not require a permit include the following:
 - 1. A Frame Sign
 - 2. Construction sign
 - 3. Directional sign
 - 4. Future facility sign
 - 5. Garage Sale sign
 - 6. Holiday Lighting sign
 - 7. Incidental sign
 - 8. Interior sign
 - 9. Mobile sign
 - 10. Real Estate – residence for sale, open house identification (on-site), open house directional (off-site), garage/yard sale identification (on-site), garage/yard sale directional (off-site), sales/rental/leasing office identification and ancillary signs (neighborhood watch, etc.)

11. Temporary Subdivision and Model Home Identification and Directional Sign
12. Window sign

B. Permit Required. The following procedures shall govern the application for, and issuance of all sign permits under this chapter, and the submission and review of sign programs.

C. Permit Applications. All applications for sign permits and for approval of a sign program shall be submitted to the community development department on forms specified by the community development director. An application shall be accompanied by any fee established by the city council.

1. Such applications shall be accompanied by detailed drawings to show the dimensions, design, structure, and location of each particular sign, to the extent that such details are not contained on a sign program in effect for the lot, along with such other information needed for the director or planning commission to determine compliance with the provisions of this chapter. One application and permit may include multiple signs on the same lot or in the same project.

2. If plans submitted for a zoning clearance, development plan or conditional use permit include sign plans in sufficient detail that the permit-issuing authority can determine whether the proposed sign or signs comply with the provisions of this chapter, then issuance of the requested clearance, plan or permit may constitute approval of the proposed sign(s) or signage plan if so stipulated.

D. Review Authority. Sign permits and sign programs shall be reviewed and approved, conditionally approved, or denied by the director, except for the following, which shall be decided upon by the planning commission:

1. Freestanding signs that exceed eight feet in height;
2. Sign programs for projects of two acres or more;
3. Kiosk sign program for off-site subdivision directional signs;
4. Individual signs exceeding forty square feet in area;
5. Signs of unique design, character, and/or merit which are determined by the director to require special consideration;
6. Electronic reader boards, as defined herein, may be permitted upon approval of a use permit in each case. All messages or images shall be faded in and out only and any message or image must be scrolled rather than flashed, and otherwise conform to the sign ordinance;
7. Referrals from the director;
8. Appeals of community development director decisions.

E. Decision of the Community Development Director. The community development director or his/her designee shall accept and review sign applications for conformance with this chapter. Applications shall be referred to other departments as appropriate to provide opportunity for comments. If, after reviewing the application and receiving comments it is determined that the proposed application complies with provisions of this chapter, the community development director shall issue a permit to install the sign.

F. Required Findings by Planning Commission. Approval of a sign permit or sign program may be granted by the planning commission only if all of the following findings are made:

1. The application complies with all applicable provisions of this chapter and any applicable approvals granted for the project by any decision-making authority.
2. The application complies with any applicable design guidelines, plans and policies adopted by the planning commission or city council.
3. The application complies with any sign program in effect for the property.

G. Assignment of Sign Permits. A valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises.

H. Additional Permits. Building, electrical and fire permits shall be obtained for signs as required by federal, state and local laws.

Section 19.23.080 Sign Computation.

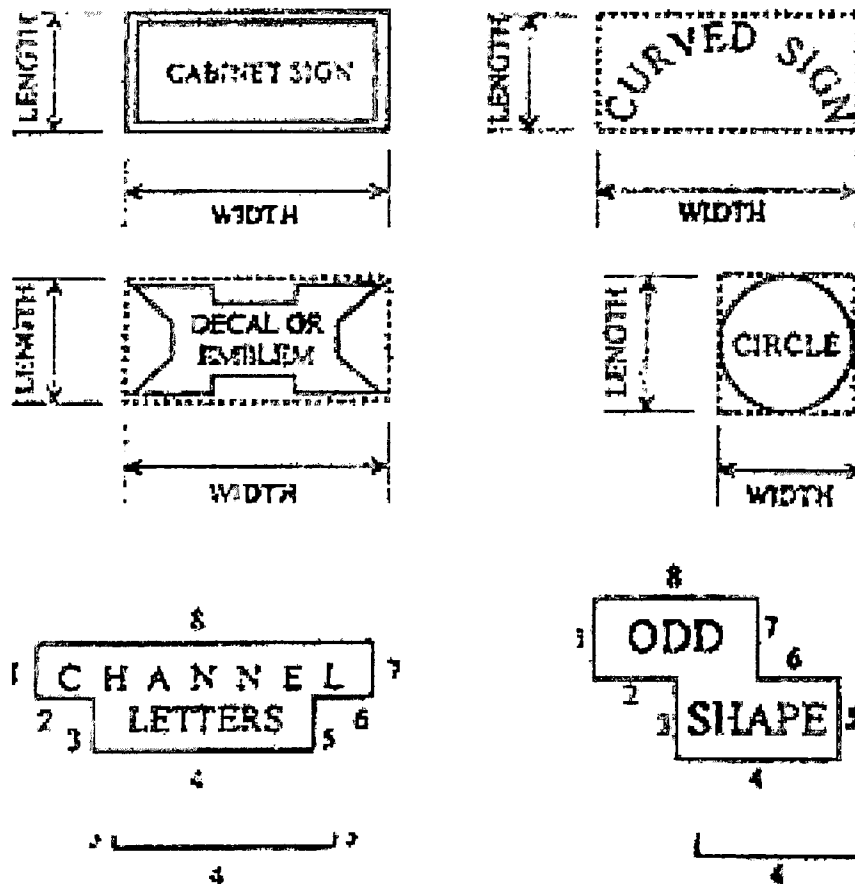
The following principles shall control the computation of sign area and sign height.

A. Height of a Sign. The height of a sign shall be computed by measuring the vertical distance from the midpoint, or average ground level, along the base of the sign structure, excluding any berming, to the highest point of the structure.

B. Maximum Total Wall Sign Area. The maximum total wall sign area allowed for a building or tenant shall be based on the lineal frontage (based on total horizontal width of business, exclusive of any jogs or variation to wall plane) of the business facade. A portion of this total sign area may be allocated to one or more secondary facades. If a business faces both Highway 29 and an arterial road, the signage for the wall facing the arterial road may be calculated separately under the wall signage ratio established for businesses without Highway 29 frontage.

Figure 19.23.080

Computation Examples



B. Distinct Border or Boundary. For signs with a distinct border or boundary, the sign area shall be computed by multiplying the length times the width of the entire surface within the border, boundary, sign board, or sign face.

C. No Distinct Border or Boundary. For signs with no distinct border or boundary, the sign area shall be calculated by computing the area of a simple rectilinear figure, consisting of not more than

eight (8) perpendicular lines, which contains all of the writing, representation, emblem, or other display on such sign.

D. Double-Sided Sign. The sign area of signs which have two (2) identical faces, arranged back to back in parallel planes, shall be computed for one (1) side only provided that the two (2) sign faces are no more than eighteen (18) inches apart.

E. Multiple-Sided Sign. Signs which have more than one (1) side and are not double-sided signs have a sign area as computed for all sides.

F. Including Sign Structure or Support. Where a sign structure, support or other sign feature is designed in such a manner to make the sign more noticeable or appear larger (such as backlighting of an entire awning), as determined by the director or commission, the area of the structure or support shall be included in the sign area.

19.23.090 Sign Illumination.

Permitted methods of illumination may be divided into several types as described below. All signs shall be engineered in compliance with applicable portions of the building and electrical codes. All electrical service to ground mounted signs shall be placed underground. Electrical service to all signs shall be concealed from public view.

A. Indirect Illumination. The sign has neither an internal light nor an external source, which is intended to specifically light that sign. Rather, the sign depends on the general lighting of the area (e.g., parking lot, traffic or pedestrian areas) for illumination.

B. Internal Message. The sign face is made of metal, wood or other material that is not translucent, and the message is cut out of the material and replaced with a translucent material. The sign's light source is located inside the sign.

C. Externally Lit Signs. Spotlights specifically directed at it lights the sign. The spotlights shall be fully shielded so that they are not visible from roads or adjoining property.

D. Internally Illuminated Channel Letter sign. Individual letter or figures affixed to a building or freestanding sign structure with the illumination source covered by a translucent material.

19.23.100 Design, construction and maintenance.

All signs shall be designed, constructed, and maintained in accordance with the following standards:

A. All signs shall be consistent with any adopted design guidelines.

B. All signs shall comply with applicable provisions of the city's building and electric codes.

C. Except for banners, flags, temporary signs and window signs, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

D. Banners, canopies, suspended signs and flags shall maintain a vertical clearance of nine feet from any sidewalk, private driveway or parking area.

E. The illumination of a sign within three hundred feet of and visible from a residential district, measured along the radius of a one hundred eighty degree arc extending from a sign face, shall be the minimum necessary to provide readability.

F. All signs shall be maintained in good structural condition, and in conformance with this chapter. (Ord. 2001-02 § 1 (part), 2001)

19.23.110 Sign programs.

The purpose of a sign program is to integrate signs with building and landscaping design to form a unified architectural statement. No permit shall be issued for an individual sign within a center where a sign program has been established until it has been determined consistent with the applicable program.

A sign program shall be required for:

1. All new commercial, office and industrial centers consisting of three or more tenant spaces.
2. A property owner(s) may also have the option of filing a sign program application for an existing multi-tenant building or buildings, and
3. Contiguous parcels that do not share driveway access and parking.
4. A Kiosk Sign program
5. Community/Neighborhood project identification
6. A Special Sign District

A. Application. For any lot, site or building on which the placement of one or more signs requires a sign program the owner, developer or leasing agent shall submit to the director the following:

1. An accurate plot plan of the lot(s), at such scale as the director may reasonably require, showing the locations of pertinent buildings, parking lots, driveways, and landscaped areas on such lot(s);
2. Locations and dimensions of all existing and proposed signs, including the height of monument and freestanding signs. Window signs may be shown by indicating the window areas to be covered by signs and the general type of materials to be used; the exact dimension or nature of every window sign need not be specified;
3. Exhibits showing the design, materials, colors and method of lighting for all signs;
4. The sign program shall specify standards for consistency among all signs on the lots affected by the plan with regard to location, sign proportions, materials, color schemes, lettering and graphic styles, and lighting;
5. If any new or amended sign program is filed for a site on which existing signs are located, it shall include a schedule for bringing into conformance, within one year, all signs not conforming to the proposed new or amended plan or to the requirements of this chapter in effect on the date of submission.

B. Sign Programs approved by the planning commission include commercial centers containing five acres or more, Kiosk Sign Programs, Community/Neighborhood Project Identification signs, and Special Sign Districts. Sign area and heights may be greater than those specified in Table 19.23.040 as may be determined by the sign program subject to the findings set forth in Section 19.23.060(D).

C. Sign Programs for Contiguous Parcels. Owners of contiguous parcels may propose a sign program approved by the planning commission to link their properties with coordinated signage. Sign area and heights may be greater than those specified in Table 19.23.040 as may be determined by the sign program subject to the findings set forth in Section 19.23.060(D).

D. Kiosk Sign Program. Subdivision directional signs and commercial signs may be permitted under a kiosk sign program as approved by the planning commission. The commission review will include size, height, design, materials and colors of proposed kiosk, along with locations and maximum number of kiosk signs within the city. In addition, the following standards are applicable:

1. The panel and sign structure design shall be in accordance with this chapter.
2. No kiosk sign structure shall be located less than three hundred feet from an existing or previously approved kiosk site except in the case of signs on different corners of an intersection.
3. All kiosk signs shall be placed on private property with written consent of the property owner.
4. A kiosk sign location plan shall be prepared, showing the site of each kiosk directional sign, and shall be approved by the planning commission prior to the issuance of a sign permit.
5. There shall be no additions, tag signs, streamers, devices, display boards, or appurtenances, added to the kiosk signs as originally approved. No other nonpermitted directional signs, such as poster or trailer signs, may be used.

6. All nonconforming subdivision kiosk directional signs associated with the subdivision in question must be removed prior to the placement of directional kiosk sign(s).

7. The kiosk subdivision directional signs shall be removed when the homes in the subdivision are sold.

8. No more than eight kiosk signs may be permitted at any time within the City limits.

E. **Optional Provisions.** A sign program may contain such other restrictions as the owners of the lots may reasonably determine.

F. **Binding Effect.** After approval of a sign program, no sign shall be erected, placed, painted or maintained, except in conformance with such plan, and any such plan may be enforced in the same way as any provision of this title. In case of any conflict between the provisions of such a plan and any other provision of this chapter, the chapter shall control.

G. **Amendment.** A sign program may be amended by filing a new plan that conforms with all requirements of this chapter then in effect. (Ord. 2001-02 § 1 (part), 2001)

19.23.120 Permitted Signs.

This section specifies the criteria for:

- A. Temporary signs
- B. Signs permitted for residential uses;
- C. Signs permitted for nonresidential uses

Signs shall be permitted in the City in accordance with the guidelines contained in Tables 19.23.120(A) through 19.23.120(C). In each instance and under the same conditions in which this chapter permits any sign, a sign containing any ideological, political or other noncommercial message and constructed to the same physical dimensions and characteristics shall be permitted in lieu of that sign.

- D. Any sign located on private property requires consent of the property owner.

Table 19.23.120(A)
Temporary Signs Permitted

Type	Development Standards	Additional Standards
1. Temporary Promotional Wall Banner (Commercial and Industrial Use: Multi-Family Uses)	<p>Permit Required: Temporary Banner Permit</p> <p>Maximum Number: One sign per business</p> <p>Maximum Size: 32 sq. ft. for building frontages up to 175 linear feet or 50 sq.ft. for building frontages greater than 175 linear feet</p> <p>Maximum Height: Shall not exceed eave line or parapet of building</p> <p>Duration: At all times</p>	<ul style="list-style-type: none"> (a) Each Promotional banner permit shall be renewed each calendar year (b) A copy of the banner permit shall be kept on site at all times. (c) Temporary banner shall be contained within the lineal frontage of the leased space. (d) May be located freestanding within landscape areas subject to additional review by the Director (e) Must be kept in neat condition and replaced when torn or weathered.
2. Temporary Window (Commercial and Industrial Use)	<p>Permit Required: None</p> <p>Maximum Number: No limit</p> <p>Maximum Size: 25% of window area up to 50 square feet per business</p> <p>Maximum Height: Shall not exceed height of highest window</p>	<ul style="list-style-type: none"> (a) Printed window copy shall be replaced or removed within six months. (b) Credit card placards, sports calendars or other non-profit activities placed adjacent to the door jamb shall not be included in the calculation of window sign area.

3. Temporary Outdoor Promotion Permit Banner	<p>Permit Required: In conjunction with a Temporary Outdoor Promotion Permit</p> <p>Maximum Number: One sign per business</p> <p>Maximum Size: 32 sq. ft. for building frontages up to 175 linear feet or 50 sq.ft. for building frontages greater than 175 linear feet</p> <p>Maximum Height: Shall not exceed eave line or parapet of building</p>	<p>(a) A copy of the banner permit shall be kept on site at all times.</p> <p>(b) Temporary banner shall be contained within the lineal frontage of the leased space.</p> <p>(c) May be located freestanding within landscape areas subject to additional review by the Director</p> <p>(d) Must be kept in neat condition and replaced when torn or weathered.</p>
4. Noncommercial Temporary Banner	<p>Permit Required: Temporary Banner Permit</p> <p>Maximum Number: Two banners per site</p> <p>Maximum Size: 32 sq. ft. for building frontages up to 175 linear feet or 50 sq.ft. for building frontages greater than 175 linear feet</p> <p>Maximum Height: Shall not exceed eave line or parapet of building 5-feet when mounted on 2 poles</p>	<p>(a) A copy of the banner permit shall be kept on site at all times.</p> <p>(b) May be located freestanding within landscape areas subject to additional review by the Director</p> <p>(c) Must be kept in neat condition and replaced when torn or weathered.</p> <p>(d) Must be located on private property and have permission of property owner</p> <p>(e) Must be located outside of the sight distance triangle at street intersections</p>
5. A Frame Signs	<p>Permit Required: None</p> <p>Maximum Number: One per customer entrance for each tenant</p> <p>Maximum Size: 7.5 square feet</p> <p>Maximum Height: 3 feet</p>	<p>(a) Locate on-site</p> <p>(b) May not be located within public right-of-way</p> <p>(c) May not obstruct accessible path of travel</p> <p>(d) May not be placed within landscape area</p> <p>(e) Must be returned indoors during hours that business is closed.</p>
6. Real Estate — Leasing or Sales (Residential Uses)	<p>Permit Required: None</p> <p>Maximum Number: One sign post per residence</p> <p>Maximum Size: 12.5 square feet cumulative for all signs displayed on the sign post</p> <p>Maximum Height: 5 feet</p> <p>Type: Freestanding Sign</p>	<p>(a) Placement shall be permitted on private property only</p>
7. Real Estate — Leasing or Sales (Commercial or Industrial Uses)	<p>Permit Required: None</p> <p>Maximum Number: One sign per street frontage</p> <p>Maximum Size: 32 square feet</p> <p>Maximum Height: 8 feet</p> <p>Type: Either Wall or Freestanding Sign</p>	<p>(a) Placement shall be permitted on private property only</p>
8. Open House Identification (On-site) (Residential Uses)	<p>Permit Required: None</p> <p>Maximum Number: One sign site</p> <p>Maximum Size: 4 square feet</p> <p>Maximum Height: 4 feet</p> <p>Type: Freestanding Sign</p>	<p>(a) Placement shall be permitted on private property only</p>
9. Open House Directional (Offsite) (Residential Uses)	<p>Permit Required: None</p> <p>Maximum Number: Minimum necessary to locate home; One sign per intersection per open house</p> <p>Maximum Size: 4 square feet</p> <p>Maximum Height: 4 feet</p> <p>Type: Freestanding Sign</p>	<p>(a) Open house directional signs may be displayed only between dawn and dusk.</p> <p>(b) Placement may be permitted in the public right-of-way.</p> <p>(c) Placement on private property requires approval of the property owner.</p>

10. Individual Garage/Yard Sale Identification (On-site) (Residential Uses)	Permit Required: None Maximum Number: One sign per garage sale residence Maximum Size: 4 square feet Maximum Height: 4 feet Type: Freestanding Sign	(a) Sign shall not be placed any earlier than 72 hours prior to the event and all signs must be removed within 72 hours following date of event. (b) Placement shall be permitted on private property only.
11. Garage/Yard Sale Directional (Off-site) (Residential Uses)	Permit Required: None Maximum Number: One sign per garage sale residence Maximum Size: 4 square feet Maximum Height: 4 feet Type: Freestanding Sign	(a) Garage/yard sale signs shall not be placed any earlier than 72 hours prior to the event and all signs must be removed within 72 hours following date of event. (b) Garage/yard sale sign may be placed in the public right-of-way, but not in the street median.
12. Subdivision and Model Home Identification and Directional	Permit Required: None Maximum Number: One sign per garage sale residence Maximum Size: 4 square feet Maximum Height: 4 feet Type: Freestanding Sign	None

Table 19.23.120(B)
Permanent Signs Permitted in Residential Districts

Type	Development Standards	Additional Standards
1. Community/ Neighborhood Project Identification (single-family detached, single-family attached, condominiums)	Permit Required: Sign Program Maximum Number, Size and Height: Subject to Planning Commission review and approval of a sign program Type: Wall or monument	(a) Placement shall be permitted on private property only.
2. Apartment Complex Project Identification	Permit Required: Sign Permit Maximum Number, Size and Height: Subject to Planning Commission review and approval of a sign program Type: Wall or monument	(a) Placement shall be permitted on private property only.
3. Project Directory	Permit Required: Sign Permit Maximum Number: One sign per site or minimum number necessary to provide adequate unit addresses and information Maximum Size: 24 square feet Maximum Height: Wall: Shall not exceed eave line or parapet of the building Monument: 6 feet Type: Wall or monument	(a) Placement shall be permitted on private property only.

4.	Sales/Rental/ Leasing Office Identification	Permit Required: None Maximum Number: One sign per development Maximum Size: 6 square feet Maximum Height: Wall: Shall not exceed eave line or parapet of the building Monument: 6 feet Type: Wall or monument Wall (permanent)	(a) Placement shall be permitted on private property only.
5.	Ancillary (neighborhood watch, etc.)	Permit Required: None Maximum Number, Size and Height: Signs shall follow city police department specifications	None

Table 19.23.120(C)
Signs Permitted in Nonresidential Districts

Type	Development Standards	Additional Standards
1. Monument Signs for Shopping or Business/ Industrial centers (Multi-tenant use) or Single Tenant Sites with NO Highway 29 Frontage	Permit Required: Sign Permit Maximum Number: One sign per 300 feet of project street frontage Maximum Size: 40 square feet Maximum Height: 6 feet above grade or 4 feet above top of planter or landscaped mound	(a) Each commercial center is permitted one freestanding sign, regardless of frontage length. (b) May not create traffic hazard at corners of driveways. (c) Minimum 5-foot setback from public right-of-way. (d) Planter base or landscaped area equal to four times the area of one sign face. (e) The design of the monument sign must be consistent with any applicable building design standards per section 19.23.100.
2. Monument Signs for Shopping or Business/ Industrial centers (Multi-tenant use) or Single Tenant Sites WITH Highway 29 Frontage	Permit Required: Sign Permit Maximum Number: One sign per 300 feet of project street frontage Maximum Size: 50 square feet Maximum Height: 8 feet above grade or up to 12 feet above grade with Planning Commission approval	(a) Each commercial center is permitted one freestanding sign, regardless of frontage length. (b) May not create traffic hazard at corners of driveways. (c) Minimum 10-foot setback from public right-of-way. (d) Planter base or landscaped area equal to four times the area of one sign face. (e) The design of the monument sign must be consistent with any applicable building design standards per section 19.23.100.

3.	Tenant Signs for Shopping or Business/ Industrial centers (Multi-tenant use) or Single Tenant Sites	<p>Permit Required: Sign Permit Maximum Number: N/A Maximum Size: 1 sqft per lineal foot of business façade. Up to 25 percent sign coverage of any window. square feet Maximum Height: May not project above eave line. Letter and Logo Height: 0-49 lineal feet/24-inch letter height maximum 50-99 lineal feet/36-inch letter height maximum Type: Wall sign, canopy sign and window sign (permanent)</p>	<p>(a) Wall signage must be centered vertically and horizontally within the lease space unless architectural design dictates otherwise.</p> <p>(b) The combined area of all signage on a building elevation shall not exceed one square foot per lineal foot of building frontage unless approved through a Sign Program.</p>
4.	Wall signs for multistory buildings with a centralized entrance	<p>Permit Required: Sign Permit Maximum Number: Two signs per elevation Maximum Size: 1 sqft per lineal foot of business façade not to exceed 200 sqft. Maximum Height: May not project above eave line or parapet. Letter and Logo Height: 0-49 lineal feet/24-inch letter height maximum 50-99 lineal feet/36-inch letter height maximum Type: Wall sign, canopy sign and window sign (permanent)</p>	<p>(a) Copy shall be arranged in a single line.</p> <p>(b) All signs on the same elevation must be placed at the same height.</p> <p>(c) The combined area of all signage on a building elevation shall not exceed one square foot per lineal foot of building frontage unless approved through a Sign Program.</p>
5.	Suspended Sign	<p>Permit Required: Sign Permit Maximum Number: One per building entrance Maximum Size: 6 sqft. Maximum Height: Minimum 8 feet, 6 inches , vertical clearance above grade. Type: Suspended sign (permanent)</p>	None
6.	Drive-Through Signage	<p>Permit Required: Sign Permit Maximum Number: One per drive-thru tenant Maximum Size: 30 sqft. Maximum Height: Minimum 7 feet, Type: Freestanding Menu Board sign, Directional sign, Height Clearance indicator, speakers (permanent)</p>	<p>(a) Shall not pose a hazard to on-site circulation.</p> <p>(b) Shall face away from street where feasible</p>
7.	Business Directory (Pedestrian)	<p>Permit Required: Sign Permit Maximum Number: 2 Maximum Size: 10 sqft. Maximum Height: 6 feet Type: Wall or Kiosk</p>	<p>(a) May not block accessible path of travel</p>

8. Business Directory (Vehicle Oriented)	Permit Required: Sign Permit Maximum Number: Minimum number necessary to provide adequate information and direction Maximum Size: 20 sqft. Maximum Height: 4 feet Type: Monument	(a) May not be located within public right-of-way. (b) May not block accessible path of travel
9. Service Station Identification and Pricing Information	Permit Required: Sign Permit Maximum Number: One monument sign per street frontage; not to exceed 2 per site. Maximum Size: 20 sqft. Maximum Height: 5 feet Type: Monument	(a) The total area for all signs on the premises shall not exceed 300 sqft. (b) Price signs allowed in accordance with state regulations. (c) Monument sign shall be designed consistent with applicable building design guidelines. (d) For wall pricing information signs, see wall sign regulations Table 19.23.120(C).
10. Electronic Message Board**	Permit Required: Conditional Use Permit Maximum Height, Size and Number: Depends upon purpose and manner of display. Type: As determined through the Conditional Use Permit	(a) Monument sign shall be designed consistent with applicable building design guidelines.
11. Movie Theater Marquee and Changeable Copy Sign	Permit Required: Conditional Use Permit Maximum Height, Size and Number: Depends upon purpose and manner of display. Type: Marquee and monument.	(a) Monument sign shall be designed consistent with applicable building design guidelines.
12. Kiosk Sign	Permit Required: Sign Program Maximum Number: 8 throughout the City. Maximum Size: 20 sqft. Maximum Height: 5 feet Type: monument.	(a) Monument sign shall be designed consistent with applicable building design guidelines. (b) No kiosk sign structure shall be located less than three hundred feet from an existing or previously approved kiosk site except in the case of signs on different corners of an intersection.

19.23.130 Legal Nonconforming signs.

A. Continuation and Abatement. Any sign determined by the City to be a legal, nonconforming sign, which is in existence on the effective date of the ordinance codified in this chapter, may continue in existence so long as:

1. The requirements of the ordinance under which it was approved continue to be met and that the sign is maintained in a safe, neat and attractive appearance.
2. Changes to the sign copy and sign faces are permitted when there is no change to the primary use of the site or when only a portion of a multiple-tenant sign is being changed.
3. A nonconforming sign may not be expanded, moved or relocated.

B. The City Council may at any time elect to require that certain existing legal, nonconforming signs comply with the provisions of this chapter provided the City offers the owner fair and adequate compensation in accordance with California Business and Professions Code

Sections 5492 or 5493.

1. **Categorical Abatement.** Whenever the City Council determines to bring existing legal, nonconforming signs into compliance with this chapter, the City Council may determine a class or category of signs to be abated, or may order all nonconforming signs to comply with this chapter, based upon the recommendation of the Planning Commission.

2. **Fair and Just Compensation — Notice and Hearing.** The Community Development Director shall notify all owners of the nonconforming signs for which a determination of nonconformity has been made, and present a determination of the proposed fair and just compensation level. If the owner of the nonconforming sign believes the compensation proposed is not fair and reasonable, the owner may request a hearing before a Hearing Officer. The City Council may designate, by resolution thereof, the Hearing Officer for purposes of fair and just compensation under this chapter. Any request for a hearing must be filed with the City Clerk within fifteen (15) days of the date of the letter from the Community Development Director to the owner. The decision of the Hearing Officer shall be final and conclusive.

3. **Incentive Programs.** The City Council may establish a program or programs to create incentives to all owners of nonconforming signs or to owners of any category of nonconforming signs to bring about conformance with this chapter in lieu of the just compensation provision. Participation in such program shall be voluntary.

C. **Exceptions Authorizing Immediate Abatement.** Notwithstanding the foregoing:

1. **Abandoned or Ceased Use.** Any nonconforming sign whose use has ceased, or the structure upon which the display exists has been abandoned by its owner, for a period of not less than ninety (90) days, shall be removed, altered or replaced so as to conform to the provisions of this chapter within six (6) months from the date of receipt of a written order of abatement from the Community Development Director. Use of the nonconforming sign shall not be reestablished after said ninety (90) day period. Costs incurred by the City in removing an abandoned sign or other display shall be borne by or charged to the legal owner of the real property upon which said sign is located.

2. **Destruction.** Any nonconforming sign that has been more than fifty (50) percent destroyed, and the destruction is other than facial copy replacement, and said structure cannot be repaired within thirty (30) days from the date of its destruction shall be removed, altered or replaced so as to conform to the provisions of this chapter within six (6) months from the date of receipt of a written order of abatement from the Community Development Director.

3. **Remodeling or Construction Projects.** In the event a nonconforming sign is located on a site where an owner or tenant remodels, expands, or enlarges the building or land use upon which the nonconforming sign is located, and the cost of the remodeling, expansion, or enlargement exceeds fifty (50) percent of the estimated cost of reconstruction of the building, or where the remodeling, expansion, or enlargement increases the total square footage of the building by fifty (50) percent or more, any nonconforming signs on the site shall be removed, altered or replaced so as to conform to the requirements of this chapter in conjunction with the project.

4. **Relocation of Signs.** The relocation of any nonconforming sign shall be required to conform the relocated sign to the provisions of this chapter within six (6) months from the date of receipt of a written order of abatement from the Community Development Director.

5. **Agreement.** An agreement between the owner of a nonconforming sign and the City for its removal as of any given date shall require the owner to remove such sign in accordance with the provisions of said agreement.

19.23.140 Sign removal.

A. The following signs shall be subject to removal:

1. Prohibited signs: any sign prohibited by this chapter;

2. Illegal signs: any sign erected or altered in violation of any ordinance or regulation in effect at the time of its erection or alteration;

3. Abandoned signs: a sign which advertises or identifies a business, lessor, owner, product, service, or activity which has been discontinued on the premises for a period of thirty days or more and which is hereby declared a public nuisance;

4. Damaged signs: any nonconforming sign which has been more than fifty percent damaged, and the damage cannot be corrected simply by copy replacement;

5. Any sign which is or may become a danger to the public or is unsafe;

6. Any sign which constitutes a traffic hazard not created by relocation of streets or highways or by acts of any city or county;

7. Any sign failing to comply with the design, construction and maintenance standards.

B. The community development director shall remove or cause the removal of any sign constructed, altered or maintained in violation of this chapter.

1. Except for subsection (A)(6) above, such removal may occur fifteen days after the date of mailing of registered or certified written notice to the owner of the sign, if known, at the last known address or to the owner of the property as shown on the latest assessment roll, or to the occupant of the property at the property address. The notice shall describe the sign and specify the violation involved, and indicate that the sign will be removed if the violation is not corrected within fifteen days.

2. If the owner disagrees with the opinion of the director, the owner may, within the fifteen-day period, request a hearing before the planning commission to determine the existence of a violation.

3. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

4. When it is determined that the sign in question poses an imminent safety hazard or dangerous condition or constitutes a traffic hazard not created by relocation of streets or highways or by acts of any city or county, such sign may be removed immediately and stored by the community development director. As soon as possible following removal, the owner, if known, shall be given a notice of violation and the right to a hearing by requesting such hearing within five days of receipt of the notice of removal. The hearing shall be held before the community development director or his or her designee within ten days of receipt of the written request for the hearing. The owner and the city shall be permitted to present evidence and cross examine each other's witnesses. At the conclusion of the hearing, the community development director or his or her designee shall prepare a written decision. This decision shall be delivered to the owner personally or by certified mail within ten days of the hearing. The owner may appeal the decision in accordance with subsection (B)(2). If the owner establishes such removal to be improper, the owner shall be entitled to a return of the signs without charge. In all other cases the sign will be returned to the owner only upon payment of removal and storage costs. If the sign is not claimed within thirty days after the decision becomes final, the sign may be destroyed. (Ord. 2008-07 § 3, 2008; Ord. 2001-02 § 1 (part), 2001)

19.23.150 Exceptions.

The planning commission may, at a duly noticed public hearing, approve an exception to any of the area, height and width standards set forth in this chapter upon making the following findings:

A. That the proposed sign or signs does not exceed any of the adopted area, height, and width standards by more than twenty percent; and

B. That the scale, mass, and proportion of the proposed sign is in keeping with any existing or contemplated development on the property; and

C. That the proposed increase in area, height or width will not result in an unsightly or obnoxious appearance; and

D. That the sign will not impair the visibility of any other permitted signs on the site or

adjacent properties; and

E. That the location of the proposed sign will not interfere with sight distance from any access or egress point on the property; and

F. That the required amount of landscaping around the base of the sign is increased in an amount equal to the percentage of the exception (i.e., if the area of the sign is increased by twenty percent, the area of landscaping at the base must also be increased by twenty percent); and

G. That the granting of the exception will not be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the vicinity of the proposed sign. (Ord. 2001-02 § 1 (part), 2001)

SECTION 3. CEQA. The adoption of the proposed ordinance is not a project that has the potential for causing a significant effect on the environment and therefore is not subject to review under the California Environmental Quality Act (CEQA). In addition, the proposed ordinance amendment is exempt in accordance with Section 15311 – Accessory Structures.

SECTION 4. Severability. The City Council hereby declares that if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen days of its adoption cause a summary of it to be published in a newspaper and circulated in the City and thereupon and thereafter this Ordinance shall take effect and be in force according to law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on the 17th day of May 2011, by the following vote:

Mayor Garcia:	<u>yes</u>
Vice Mayor Bennett:	<u>yes</u>
Council Member B. Bennett:	<u>yes</u>
Council Member Coffey:	<u>yes</u>
Council Member Joseph:	<u>yes</u>

Leon Garcia
Leon Garcia, Mayor

ATTEST:
Rebekah Barr
Rebekah Barr, CMC
City Clerk

APPROVED AS TO FORM:
William D. Ross
William D. Ross, City Attorney