

DHL 1/18/96

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, STE. 300

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HEARING IMPAIRED: (415) 904-5200

F4d



January 16, 1996

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: TAMI GROVE, DISTRICT DIRECTOR  
DIANE LANDRY, ACTING PLANNING MANAGER  
JOY CHASE, STAFF ANALYST

SUBJECT: CITY OF CAPITOLA MAJOR AMENDMENT #3-95 TO THE LOCAL COASTAL PROGRAM IMPLEMENTATION SIGN ORDINANCE for public hearing and Commission action at its meeting of February 6-9, 1996 to be held at the U. S. Grant Hotel, 326 Broadway, San Diego, CA

SYNOPSIS

The City of Capitola Land Use Plan was certified by the Commission on June 5, 1981. The Implementation Program Zoning Ordinance was certified on January 10, 1990 and the City assumed coastal development permit authority on April 11, 1990. The City is requesting that its Implementation Sign Ordinance Chapter 17.57 be amended and a new chapter be added to the Municipal Code, Chapter 9.40 Signs on Public Property or Rights of Way. The City has organized and submitted the amendment request in accordance with the standards for amendments to certified LCP's (Coastal Act Section 30514, California Code of Regulations 13551 through 13553). The amendment was filed on December 29, 1995. The City Council held noticed public hearings. In addition noticed public hearings at the Planning Commission level were held. Excerpts from the City's amendment submittal are attached as Exhibit B.

Staff has reviewed the proposed amendments to the Implementation Sign Ordinance against the Land Use Plan.

Summary of Proposed Amendment: The proposed sign ordinance will entirely replace the certified sign ordinance, Chapter 17.57 Signs, and a new Chapter 9.40 Signs on Public Property or Rights of Way will be added. The Sign ordinance has been completely reorganized. Outdated, duplicative and unnecessary provisions have been deleted and procedures clarified. The basic requirements have become somewhat more restrictive. In response to court decisions that protect "free speech", Section 17.57.095 allows for non commercial signs, e.g., political, in residential districts with limited restrictions.

Recommendation: Staff recommends approval of Capitola LCP Amendment No. 3-95 as submitted.

Attachments: Exhibit A, City Resolution 2760, which submits the amendment to the Coastal Commission with provisions for it to become effective automatically upon Commission approval; Exhibit B, Ordinance 785, the adopted text of the amended ordinances.

### STAFF RECOMMENDATION

Staff recommends adoption of the following resolution:

#### I. APPROVAL OF IMPLEMENTATION PLAN AMENDMENT #3-95 AS SUBMITTED.

##### MOTION:

I move that the Commission reject Amendment #3-95 to the City of Capitola Implementation Plan as submitted by the City of Capitola.

Staff recommends a NO vote which would result in approval of this amendment as submitted. Only an affirmative (yes) vote on the motion by a majority of the Commissioners present can result in rejection of the amendment.

### RECOMMENDED FINDINGS

I.. The proposed sign ordinance will entirely replace the certified sign ordinance, Chapter 17.57 Signs and a new Chapter 9.40 Signs on Public Property or Rights of Way will be added. The ordinance has been completely reorganized. Outdated, duplicative and unnecessary provisions have been deleted. The significant changes and coastal issues, if any, are discussed below.

1. Add definitions for "balloon sign", "center identification sign" and "master sign program". Provisions for a master sign program codifies current practice. No coastal issue.
2. Adds "signs on vehicles" to types of prohibited signs. No coastal issue.
3. Increases the number of days per year that temporary signs (e.g., banners) may be used from 14 to 30. No coastal issue.
4. Incorporates the Central Village Sign Guidelines into the sign ordinance. Provides more complete guidance for signs in this important visitor serving area in support of Land Use Plan policies. Consistent with Land Use Plan.
5. Deletes the "sign restrictive zone" provisions of the code. The sign restrictive zone is no longer needed because the area allowed for freestanding signs in those zoning districts has been reduced. No coastal issues.

6. Reduces the height of a standard freestanding (monument) sign from 16 to 8 feet. The number of tenants permitted to be named on a freestanding sign is increased from 3 to 4. No coastal issue.

7. Existing provisions for "non-conforming signs" and "amortization period" have been deleted and replaced with two provisions which allow legally established non conforming signs to remain in use until such time that a change is proposed which requires a permit from the Planning Commission. Changes to sign facing or lettering, or repainting, on an existing legal nonconforming sign would be allowed through issuance of a sign permit by the Planning Director, as long as the changes or new sign will be substantially the same size and design as that existing or originally approved. These changes recognize that the "amortization period" has ended and it is the City's determination there are very few truly objectionable existing nonconforming signs. No coastal issues.

8. A "Sign Permit" section has been added in order to clearly state whether or not a sign requires a permit and to give the Planning Director discretion to approve the following types of sign permit applications:

- a. Changes to sign facing or lettering on an existing legal conforming sign, or legal non conforming sign when the new sign is to be substantially the same size and design as that existing or originally approved;
- b. Temporary construction project signs, temporary subdivision signs, business/commercial temporary signs, and temporary auto plaza balloon signs;
- c. Signs consistent with any Master Sign Program previously approved by the Planning Commission.

No coastal issues.

9. Adds a section 17.57.090 Special Signage for Commercial Sites Located in Geographically Constrained Areas which allows flexibility to address properties in the Community Commercial zoning district whose location would allow very limited visibility of signs under regular standards. Only a very limited area of the Community Commercial District is located in the Coastal Zone. No effect on scenic resources in the Coastal Zone would occur.

10. Deletes a Section 17.57.310 Political, civic, public service and religious signs which set standards and gave the City building official jurisdiction to remove signs not taken down after the temporary event, e.g., election. The proposed ordinance adds a Section 17.57.095 Non-Commercial Signs in Residential Districts which provides that no permit is required in the R-1 and R-M districts for non commercial signs which do not exceed 35 square feet per unit. In the C-R Commercial Residential district commercial and non commercial signs together cannot exceed 35 square feet.

The Central Village and beach area of Capitola are the City's visitor serving area and are zoned Central Village and Public Facilities, districts unaffected by this ordinance. According to the City Attorney this new regulation is in response to recent court rulings (e.g., City of Ladue v. Gilleo (1994) which limit government intervention in political protest et al.

11. Adds a new Chapter 9.40 which separately addresses signs on public property or rights of way. Signs are limited to civic or non profit events and legal notices, identification, information, safety or directional signs of governmental bodies. No permits are required for these signs.

The proposed amendments will not impact access or resources and are consistent with the certified Land Use Plan and the Coastal Act.

## II. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Coastal Commission's Local Coastal Program development and certification process has been designated by the Secretary of Resources as the functional equivalent of the California Environmental Quality Act (CEQA). No significant impacts are associated with the proposed zoning changes. Capitola found the reclassification and rezoning categorically exempt from CEQA. Therefore, the Commission finds that Amendment #3-95 is consistent with the provisions of the California Environmental Quality Act.

RESOLUTION NO. 2760

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
AMENDING THE LOCAL COASTAL IMPLEMENTATION PROGRAM  
BY AMENDING SIGN ORDINANCE PROVISIONS

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981; and

WHEREAS, during 1994 the City of Capitola initiated ordinance amendments to clarify signage provisions and definitions; and

WHEREAS, consistent with the requirements of the California Environmental Quality Act (CEQA), it was determined that the ordinances necessary to carry out these regulatory changes were categorically exempt under CEQA; and

WHEREAS, public hearings and public meetings related to the proposed Chapter 17.57 "zoning sign ordinance" regulations, and Chapter 9.40 "signs of public property or rights-of-way" regulations, which were publicly noticed and advertised as required by law, were held at regular meetings of the Planning Commission on November 17, December 1 and December 15, 1994, and of the City Council on January 12, January 26, February 9, March 23, May 11, May 25, September 28, October 12, October 26, November 9, November 21, and December 14, 1995; and

WHEREAS, opportunities were provided at each public hearing and meeting for public testimony; and

WHEREAS, the City Council now finds:

1. The environmental determinations and findings are in conformance with CEQA.
2. The proposed amendments to the Local Coastal Program, consisting of amendments to the Local Coastal Implementation Program, will not adversely affect coastal resources and are consistent with the Coastal Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that the Local Coastal Implementation Program amendments as defined by Ordinance No. 785, which was adopted by the City Council on December 14, 1995, is hereby adopted as being in full conformance with the City of Capitola Local Coastal Program and the provisions of the California Coastal Act.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to submit this Local Coastal Program amendment to the California Coastal Commission for its review and certification. If the amendment is approved by the Coastal Commission as approved by the City of Capitola, it will take effect automatically upon Coastal Commission approval. If it is modified by the Coastal Commission, it will require formal action by the City of Capitola.

CAPITOLA LCP Amend #3-95  
CALIFORNIA COASTAL COMMISSION

RESOLUTION NO. 2760

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 14th day of December, 1995 by the following vote:

AYES: Council Members Graves, Garcia, Harlan and Mayor Fabrizio.

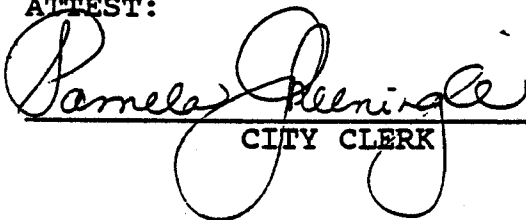
NOES: None.

ABSENT: Council Member Routh.

ABSTAIN: None.

  
MAYOR

ATTEST:

  
CITY CLERK, CMC/AAE

ORDINANCE NO. 785

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
REPEALING ORDINANCE NO. 778, AMENDING CHAPTERS 17.57  
AND 9.40 OF THE MUNICIPAL CODE AND LOCAL COASTAL IMPLEMENTATION  
PROGRAM REGARDING SIGNS

THE CITY COUNCIL OF THE CITY OF CAPITOLA HEREBY ORDAINS AS  
FOLLOWS:

Section 1. Ordinance No. 778 is repealed in its entirety.

Section 2. Chapter 17.57 of the Municipal Code is amended to  
read as follows:

Chapter 17.57

SIGNS

Sections:

- 17.57.005 - Application of Chapter
- 17.57.010 - Definitions
- 17.57.015 - Standard of Review
- 17.57.020 - Sign Permit
- 17.57.030 - Exemptions
- 17.57.040 - Prohibited
- 17.57.050 - Temporary Signs- Permitted
- 17.57.060 - Central Village Signs
- 17.57.070 - Permanent Signs in Non-Residential Districts
- 17.57.080 - Master Sign Program
- 17.57.090 - Special Signage for Commercial Sites Located in  
Geographically Constrained Areas
- 17.57.095 - Non-Commercial Signs in Residential Districts
- 17.57.100 - Maintenance and Repair
- 17.57.110 - Lighting and Illumination
- 17.57.120 - Nonconforming Signs
- 17.57.130 - Unsafe and unlawful signs
- 17.57.140 - Enforcement

17.57.005 Application of Chapter. This Chapter applies only to  
signs erected after [effective date of this ordinance].

17.57.010 Definitions.

1. "Animated sign" is a sign, or any device designed to attract  
attention by visual means through the movement or semblance of  
movement of the whole or any part of the sign.
2. "Balloon sign" is a spherical, flexible nonporous bag filled  
with air or gas lighter than air, such as helium.

CAP LCP Amend #3-95

CALIFORNIA COASTAL COMMISSION

EXHIBIT B

ORDINANCE NO. 785

17.57.010 Continued...

3. "Banner sign" is a sign which hangs over a public street or walkway made of fireproof cloth or canvas which is displayed on a temporary basis to advertise a special event.
4. "Center identification sign" is a sign that identifies the name of a center and does not include the name of any business or businesses within the center.
5. "Directory sign" is an on-premise sign which shows the direction to or location of a customer entrance to a business.
6. "Erect" means to build, construct, attach, enlarge, hang, place, suspend, substantially alter or affix, including the painting or otherwise applying of all signs.
7. "Monument sign" means a sign wholly supported by a structure permanently attached to the ground.
8. "Freeway sign" is a sign erected for the dominant purpose of being seen by travelers on a freeway.
9. "Master sign program" means a program allowing the occupants of a building or project with a number of buildings to combine the total lawful sign coverage into one or more lawful signs in an integrated design concept.
10. "Non-Commercial Sign" is a sign, the message of which is not for the purpose of convincing persons to purchase any product or commercial service or to visit any business premises. A sign that encourages contributions to non-profit entities is non-commercial.
11. "Projecting sign" means any sign, other than a wall sign, which is suspended from or supported by a building or wall, and which projects outward from a building wall.
12. "Roof sign" means a sign that is either:
  - A. Mounted upon a roof; or
  - B. Located above a parapet, eave or highest point of the ridge line of a building or structure.
13. "Shopping Center" or "Commercial Center" means a building or group of buildings planned, developed, owned or operated as a unit for commercial, professional, or industrial businesses located on a single parcel, sharing common parking areas or commonly owned adjacent parcels.



ORDINANCE NO. 785

17.57.010 Continued...

14. "Sign" is any device such as a display board, bill, poster, picture, lithograph, map, plat, banner, barber pole, bunting, flag, pennant, whirligig, balloon, valance, light festoon, merchandise display, structure, mural or other device and appurtenant light structure used for the purpose of advertising, informing, or identifying, and placed so as to be seen from the exterior of the building or premises on which it is located.
15. "Sign Area"
  - A. For a sign on a separate sign structure, the area of the structure exclusive of any support poles is the sign area.
  - B. For a sign on a building wall having no separate structure, sign area is measured from the visible border or background color distinction which includes all graphics, letters, and background.
  - C. For a building wall sign with no border or different background color, sign area is measured within a set of implied or imaginary lines parallel to and three inches outside of all graphics and letters of the sign.
16. "Sign valuation." For purposes of this chapter, sign valuation shall be prima facie the total cost or contract price of the sign. In the event such a cost or price is not available or does not fairly represent the true value of the sign, said valuation shall be based on a reasonable cost estimate established by the building official.
17. "Temporary signs" means signs which because of their materials, manner of placement, or contents, appear to the reviewing authority to have an impermanent display period.
18. "Wall sign" means and includes a sign that is painted on, attached to, or erected against a wall of a building or structure.
19. "Wind sign" means a flag, pennant, whirligig, or any device which is designated to wave, flutter, rotate or display other movement under the influence of wind.
20. "Window sign" means any sign painted on, or attached, to, the interior or exterior side of a window.

ORDINANCE NO. 785

17.57.015 Standard of review. Discretionary application reviews under this Chapter shall apply the following general standard: Applications will be denied if they do not both:

- A. Maintain the character and aesthetic integrity of the subject property and the surrounding area; and
- B. Reasonably prevent and reduce the sort of visual blight which results when signs are designed without due regard to effects on their surroundings.

Reasonable conditions may be imposed in approving applications which would otherwise be disapproved.

17.57.020 Sign Permit.

- A. No person shall erect any sign upon any billboard, fence, post, pole, tree, building or other structure in the City without first obtaining a sign permit, or a written statement that a sign permit is not required, unless this chapter specifically provides for an exemption or exception to this requirement for the type of sign which is proposed.
- B. The Planning Director or his/her designee shall issue permits for signs meeting the following criteria:
  - 1. Changes to sign facing or lettering, or repainting, on an existing legal conforming sign, or non-conforming sign, when the new sign is to be substantially the same size and design as that existing or originally approved;
  - 2. Signs consistent with any Master Sign Program (Section 17.57.080) previously approved by the Planning Commission;
  - 3. Permanent window signs if the area of such signage is less than 20% of the total area of the window.
- C. The Planning Commission shall consider, under the standard set forth in Section 17.57.015, and take action on sign permit applications for the following types of signs:
  - 1. Monument signs, wall signs, projecting signs, center identification signs, directory signs, off-site directional signs, service station signs, roof signs, master sign programs, and Central Village signs.

ORDINANCE NO. 785

17.57.020 Continued...

- C. 2. Permanent window signs if the area of such signage is between 20% and one-third of the total area of the window.
3. Signs which propose to vary from the standard regulations which apply to the type of sign being proposed. (Such applications shall be processed as variances under Chapter 17.66.)

17.57.030 Exemptions. The following signs shall be exempt from the regulations in this chapter:

- A. On-site signs not exceeding 1-1/2 square feet in area and bearing only property numbers, post office box numbers, names of occupants of premises or other identification of premises not having commercial connotations;
- B. Flags and insignia of any government except where displayed in connection with commercial promotions;
- C. Legal notices, identification, informational, safety or directional signs erected or required by governmental bodies or public utilities;
- D. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights;
- E. On-site signs directing and guiding traffic and parking on private property, but bearing no advertising matter and having a display area of less than six (6) square feet.
- F. Movie theater marquees existing prior to adoption of Ordinance No. 471.
- G. Temporary signs meeting the criteria of subsection A. of Section 17.57.050.

17.57.040 Prohibited. The following signs are prohibited in the City; unless specifically exempted by other provisions (such as Section 17.57.030) of this Chapter.

- A. Wind signs. Not including flags and insignia of any government.
- B. Animated signs, with the exception of clocks and barber poles.
- C. Sound signs. Signs which will produce sounds.

ORDINANCE NO. 785

17.57.040 Continued...

D. Sandwich board and other movable freestanding signs.

E. Signs on vehicles. It is prohibited to display any commercial sign in Capitola by attaching it to, suspending it from, or painting it on a vehicle which is thereafter parked in public view for more than one hour. This sub-section (E) does not apply to (a) bumper strips, or (b) to standard identification practices where such displays are painted on, or permanently attached to, a business or commercial vehicle which is actively being used for transportation purposes by the business, or (c) to signage of the subject vehicle as "For Sale".

F. Abandoned. No person in the City shall maintain or permit to be maintained, a sign(s) that has been abandoned on any premises which said person owns or controls. Any such abandoned sign shall be immediately removed by the owner or operator of the premises. Any sign which is located on property which became vacant and unoccupied for a period of three months or more, and any sign which was erected for an occupant or business unrelated to the present occupant or business, and any sign which pertains to a time, event or purpose which is no longer applicable, shall be presumed to have been abandoned.

G. Freeway signs.

H. Balloon signs greater than 15 inches in diameter.

I. Signs on public property. Signs on public property not placed there by the public entity having the possessory interest in such property. Public property is any parcel or unit owned by, or leased to, a federal, state or local governmental entity.

J. Signs likely to obstruct motorists' line of sight. Whenever the Superintendent of Streets has determined that erecting signs in specific areas of private property, public property, or public streets would endanger the public by reducing the line of sight of motor vehicles, or obscure safety or directory signs required by governmental bodies or public utilities, he/she shall file such determination with the City Clerk. If the determination pertains to private property, he/she shall mail notice to the owner (as shown on the Assessor's records) and, if the property is developed, conspicuously post notices on the property. Thereafter, no signs may be erected in such area. Property owners or leaseholders may appeal such determination as provided in Chapter 2.52.

ORDINANCE NO. 785

17.57.040 Continued...

- K. Window signs exceeding one-third of the total area of the window.
- L. Other signs. All other signs not specifically permitted by, or exempted or excepted from, these regulations are prohibited.

17.57.050 Temporary signs.

- A. No permit required.

The following temporary signs are permitted and do not require issuance of a sign permit.

1. For sale, rent or lease signs. In all districts, signs may be erected on any parcel which advertises such parcel for sale, rent or lease. In the R-1 and RM districts, such sign shall not exceed an area of six (6) square feet. In all other districts, such signs shall meet with the requirements set forth in this chapter.
2. Open house signs. In all districts, open house or model home signs, advertising real estate open for inspection for prospective sale, may be placed on the property of the unit where an open house is held, or other private property, with the consent of the owner, lessee or occupant. Such signs shall not exceed four (4) square feet in area nor one (1) in number for any one open house and/or model home. Each sign may say "open house" on both sides.
3. Garage/yard sale signs. Garage/yard sale signs may be placed on the property of the residential unit where the garage sale is held, or on other private property if the occupant's permission has been obtained.
4. Balloon signs. Balloon signs 15 inches or less in diameter may be placed temporarily on private property as a decoration display linked to a special public, private or sales event.
5. Temporary window signs. In C-V, C-R, C-N and C-C districts, temporary window signs (which may periodically change), including, but not limited to posters and product information, provided that the area of such signs does not exceed one third (1/3) of the area of the window. Neon-type signs are not temporary.

ORDINANCE NO. 785

17.57.050 Continued...

B. Allowable with permit

The following temporary signs require a sign permit prior to erection, which may be issued by the Planning Director or his/her designee, or which may be referred to the Planning Commission for consideration and action. Temporary sign applications may be denied by the Planning Director or Planning Commission when it has been determined that the temporary sign is not made of suitably strong materials, or appropriately located or affixed.

1. Construction project signs.

- a. Not more than two (2) signs may be erected in conjunction with construction projects for the purpose of publicizing the future occupants of the building, or architects, engineers, and/or construction organizations participating in the project.
- b. In residential districts, no such sign shall exceed twelve square feet in area, and no freestanding sign shall exceed five (5) feet in height.
- c. In other districts, no sign shall exceed 40 square feet, and no freestanding sign shall exceed eight feet (8') in height.
- d. All such signs shall be removed before the building official grants final release on the construction.

2. Subdivision signs.

- a. Not more than one (1) temporary sign identifying a person or firm offering real estate for sale for the whole of a subdivision or substantial portion thereof shall be permitted in any city approved subdivision.
- b. Such signs may state the name of the subdivider, or the subdivision, or both.
- c. Such signs shall be located on the subdivision being advertised.

ORDINANCE NO. 785

17.57.050 Continued...

- B. 2. d. No such sign shall be erected on or situated within one hundred feet (100') of any occupied residential property which is not within the subdivision.
- e. No such sign shall exceed forty (40) square feet in area.
- f. Sign lighting, if any, shall be indirect.
- g. In addition to the sign permit fee, a one hundred dollar deposit shall be required to guarantee proper maintenance and ultimate removal of the sign.
- h. The permit for any such sign shall be issued for a period of one year. At the end of such period, permit extensions of ninety (90) days each may be granted by the Planning Commission if good cause is shown by the permittee.
- i. Upon expiration of the permit and/or extension thereof, the entire sign shall be removed by the applicant. Following the removal of the sign, upon request from the permittee, the deposit shall be refunded.
- j. If for any reason the permittee fails to remove the sign, the City may cause it to be removed and shall apply the cost of such removal against the deposit, and return the remainder to the permittee.

C. Other requirements for temporary signs.

- 1. No more than two (2) businesses may display temporary commercial signs at any one time in a shopping center pertaining to the same event.
- 2. No single business premises may at any one time display temporary signs (whether commercial or non-commercial) totaling more than thirty (30) square feet in surface area. In applying this subsection, the Planning Director may estimate the surface area of irregularly-shaped or three-dimensional signs.
- 3. No single business at any one location may display temporary commercial signs for more than thirty (30) days in any calendar year.

ORDINANCE NO. 785

17.57.050 Continued...

- C. 4. Temporary business/commercial signs are allowed only in conjunction with special sales or events. Special promotions do not include advertising individual products and services or the prices of products and services.

17.57.060 Central Village Signs. All signs to be erected in the Central Village Zoning District shall comply with the Central Village Design Guidelines as specified in the following regulations for signs:

- A. Relate all signs to their surroundings in terms of size, shape, color, texture, and lighting so that they are complimentary to the overall design of the building and are not in visual competition with other conforming signs in the area. Signs should be an integral part of the building and site design.
- B. Arrange any external spot or flood sign lighting so that the light source is screened from direct view, and so that the light is directed against the sign and does not shine into adjacent property or distract motorists or pedestrians.
- C. Signs for buildings which house more than one business are permitted only when a program for the complex has been approved. Signs need not match but should be compatible with the building and each other.
- D. One menu box with a maximum of three (3) square feet shall be allowed for each restaurant. The board design and materials shall be consistent with the materials and design of the building face.
- E. If banners and flags are placed on a building they must be included and reviewed as part of the sign program.

17.57.070 Permanent Signs in Non-Residential Districts. The following kinds of permanent signs are, subject to Planning Commission review, allowable in all but R-1 and R-M districts, and subject to the conditions and restrictions set forth herein.

- A. Monument Signs. Except as otherwise provided in this chapter, every monument sign shall comply with the requirements of this section.



ORDINANCE NO. 785

17,57.070 Continued...

- A. : 1. No such sign shall exceed eight (8) feet above ground, except where the existing main building, or proposed building, is closer than twenty-five (25) feet from the front property line adjoining a public street, no such sign shall exceed four (4) feet in height. The height shall be determined as measured from the sidewalk or as assessed by the Planning Director.
2. The maximum area of any such sign shall be sixty (60) square feet in the CC and IP zoning districts and thirty-five (35) square feet in all other districts.
3. There may be no more than one (1) such sign for each building frontage.
4. A maximum of four (4) tenants may be named on a monument sign.
5. In the case of a corner parcel, a monument sign may be allowed for each frontage; provided, however, that each sign be placed at least two hundred (200) feet from the actual intersection corner.
6. The area surrounding the base of a monument sign shall be landscaped in accordance with the provisions of Chapter 17.63.
7. The use of wood materials shall be encouraged with provisions for indirect lighting permitted. Internally lighted signs shall be limited to the use of individually lighted letters with opaque or wood background materials.
8. No other sign(s) advertising the business(es) shall be permitted on the premises, with the exception of a wall sign, located so as not to be visible from the street frontage used for the monument and appropriate directional signs.
9. No such sign shall list the products to be sold or the services to be provided.
10. Monument signs shall be designed to be related to the design, building materials, and architectural theme of the building on the same property, an integral part of a landscaped area or raised planter and used for identification purposes only.

ORDINANCE NO. 785

17.57.070 Continued...

B. Wall Signs. Except as otherwise provided in this chapter, every wall sign shall comply with the requirements of this section:

1. Each business shall be permitted only one wall sign, except that:
  - a. Businesses which are located adjacent to two streets (corner) shall be permitted one additional wall sign, to face the second adjacent street if the business is not identified on a monument sign.
  - b. Additional wall signs may be allowed under a master sign program.
  - c. Center identification, directory, service station, and roof signs are not counted against this limitation.
2. The size of each individual sign shall not be greater than one square foot of sign area for each one linear foot of business frontage.
3. No such sign, including any light box or other structural part, shall project more than twelve (12) inches from the building face.
4. Wall signs shall be mounted parallel to the building, unless otherwise approved by the Planning Commission.
5. No part of any such sign shall extend above the top level of the wall upon or in front of which it is situated. Any such sign which is suspended or projects over any public walkway or walk area shall have an overhead clearance of at least eight (8) feet. No permanent sign may be erected over any publicly-dedicated walkway or street contrary to the building code.
6. No such sign shall list the products to be sold or the services to be provided by any business.

C. Projecting Signs. Except as otherwise provided in this chapter, every projecting sign shall comply with this sub-section C.

ORDINANCE NO. 785

17.57.070 Continued...

- C.
1. No such sign shall exceed sixteen (16) square feet in area, except in residential zoning districts a projecting sign shall not exceed five (5) square feet in area.
  2. No such sign shall extend above the top level of the wall upon which it is situated.
  3. No such sign shall project more than two (2) feet over any public property or pedestrian and vehicular easement.
  4. Each business shall be permitted one projecting sign.
  5. An encroachment permit must be obtained for all signs projecting over a public right-of-way.
  6. Any such sign that is suspended or project over any public walkway or walk area shall have an overhead clearance of at least eight (8) feet.
  7. No such sign shall list the products to be sold or the services to be provided.

D. Center Identification Sign. Except as otherwise provided in this chapter, every center identification sign shall comply with this section.

1. No such sign shall exceed thirty square feet in area.
2. No such sign shall exceed five (5) feet in height as measured from the sidewalk.
3. The sign shall identify the name of the center but shall not include the name of any business or businesses within the center.
4. In no case shall a center have more than one (1) freestanding sign per frontage.

E. Directory Sign. Except as otherwise provided in this chapter, every directory sign shall comply with this section.

1. No such sign shall exceed five (5) feet in height.
2. No such sign shall exceed forty (40) square feet in area.

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- E. 3. No such sign shall be legible from adjacent public right-of-ways.
- 4. The sign shall identify the names of the occupants of the building or complex.
- F. Off-site Directional Sign. Except as otherwise provided in this chapter, every off-site directional sign shall comply with this section.
  - 1. A conditional use permit shall be obtained for all off-site directional signs.
  - 2. Any such sign shall identify special areas or features of the community; such as civic, public or quasi-public facilities.
- G. Service Station Sign. Except as otherwise provided in this chapter, every service station sign shall comply with this section.
  - 1. A maximum of two (2) signs not exceeding four (4) square feet, shall be allowed on each pump island to denote either full service or self-service.
  - 2. No other signs will be allowed to be attached to pumps or islands other than required by State Law. (See Business & professions Code Section 13530.)
  - 3. A six (6) foot high monument sign which displays prices charged, credit cards accepted or special services rendered shall be allowed on each street frontage.
- H. Roof Sign. Except as otherwise provided in this chapter, every roof sign shall comply with this sub-section.
  - 1. A conditional use permit shall be obtained for all roof signs.
  - 2. Roof signs shall be allowed only on single story buildings.
  - 3. The supporting member of a roof sign shall appear to be free of any extra bracing, angle iron, guy wires, cables, etc. The supports shall appear to be an architectural and integral part of the building.

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- H. 4. In shopping centers and other multi-use structures, the roof signs shall be of uniform proportions, design and material.
- 5. The maximum allowable area of such roof signs shall be five (5) percent of the area of the front face of the building.
- I. Window Signs. Window signs in accordance with Subsections B(2) and C(3) of Section 17.57.020.

17.57.080 Master Sign Program. Programs which establish material, letter style, height, color and illumination of signs for shopping centers, office complexes and other common buildings shall require architectural and site review and/or a sign permit. Subsequent to the approval of a given business center's master sign program, individual sign permits may be issued by the Planning Director or his/her designee without further Planning Commission review. Approval of the master sign program does not waive the building department permit requirements for individual signs.

17.57.090 Special Signage for Commercial Sites Located in Geographically Constrained Areas.

- A. A parcel or contiguous group of parcels forming a commercial site, which is located in the C-C Community Commercial zoning district and meets the following criteria, may apply for special signage through the Planning Commission: The commercial site is geographically located such that, except to a very limited degree, the signs are not visible from other properties, nor from any public street (except one that dead ends within the commercial site).
- B. The application for special signage, and the Planning Commission decision in response to it, shall, for each variety of permanent and temporary signage, specify the number, size, type, design, color and location of the sign, along with the manner, frequency and duration of the sign display.
- C. The Planning Commission may approve additional or variations to any type of signage upon making the following findings:
  - 1. The special signage, as designed and conditioned, is necessary and appropriate for the subject commercial site, in order to allow the site and the businesses located within it to be competitive with other businesses of a similar nature located

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C. 1. elsewhere, and/or to be competitive with industry standards governing sale of the merchandise offered at the site.

2. The special signage, as designed and conditioned, will not have a significant adverse effect on the character and integrity of the surrounding area. This subsection C. does not allow approval of: signs over 16 feet high, sound signs, abandoned signs, balloon signs greater than 15 inches in diameter, or freestanding signs.

D. The Planning Commission or City Council may amend any approval of temporary signs under this section provided:

1. The permittees are given at least 10 calendar days written notice prior to the hearing;

2. changed circumstances make such amendment appropriate;

3. a reasonable period of time is allowed for the affected business(es) to bring themselves into compliance.

17.57.095 Non-Commercial Signs in Residential Districts. In C-R districts, the total area of both commercial and non-commercial signs shall not exceed 35 square feet per unit.

In R-1 and R-M Districts, non-commercial signs shall not exceed 35 square feet per unit.

Non-commercial signs meeting the foregoing size limitation do not require a sign permit, but Uniform Construction and Fire Codes (see Chapter 15.04) do apply.

17.57.100 Maintenance and Repair. All signs, together with all supports, braces, guys and anchors shall be free from excessive deterioration, rot, rust, and loosening and shall be maintained in safe condition as determined by the Building Official or Planning Director. The display surface of all signs shall be kept neatly painted or posted at all times.

17.57.110 Lighting and Illumination. All illuminated signs shall be designed in such a way as to avoid undue glare or reflection of light on private property and surrounding areas. In the R-1 and RM zoning districts, signs shall be constructed in such a way that any lighting or lighting effect shall have an intensity of no more than thirty-five (35) footcandles as measured from ground level. In all other districts, no sign shall have an intensity of no more than fifty (50) footcandles as measured from ground level.

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17.57.120 Nonconforming Signs

- A. Signs which are lawfully in existence and in use prior to and at the time of the legal adoption of the ordinance codified in this chapter, may remain in use even though they do not conform with the provisions of this chapter.
- B. Repainting, refacing or relettering of existing legal nonconforming signs is permitted when the new copy is to be the same size and design as that existing or originally approved.

17.57.130 Unsafe and unlawful signs.

- A. Whenever a sign is found to be erected or maintained in violation of any provisions of this chapter or of any other ordinance or law, the Planning Department shall order that such sign be altered, repaired, reconstructed, demolished, or removed as may be appropriate to abate such condition. Any work required to be done, shall, unless a different time is specified, be completed within ten days of the date of such order.
- B. Failure, neglect or refusal to comply with such order of the Planning Department shall be sufficient basis for the revocation of any permit granted under this chapter, and shall constitute a separate offense.
- C. In addition to any other remedies provided by law, the Planning Department shall have the power and authority summarily to remove, or cause to be removed, at the owner's expense, any sign erected or maintained in violation of the provisions of this chapter.

17.57.140 Enforcement. The provisions of Chapter 17.84 shall be used to enforce the contents of this chapter, but are not exclusive.

Section 2. Chapter 9.40 of the Municipal Code (Ordinance No. 491) is amended to read as follows:

Chapter 9.40

SIGNS ON PUBLIC PROPERTY OR RIGHTS-OF-WAY

Sections:

- 9.40.010 Signs prohibited - exceptions
- 9.40.020 Signs on utility poles or apparatus

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9.40.010 Signs prohibited - exceptions. No signs shall be erected, affixed, or placed in or upon any public street, path or right-of-way subject to the following exceptions:

- A. Signs informing the general public of civic or non-profit events, upon approval of the City Council.
- B. Legal notices, identification, informational, safety or directional signs erected or required by governmental bodies or public utilities.

9.40.020 Signs on utility poles or apparati. Nothing in this Chapter shall be construed as allowing signs to be placed upon privately-owned poles or apparati. (See California Penal Code Sections 556, 556.1, 556.3.)

Section 3. This Ordinance shall be in full force and take effect thirty days after its final adoption or upon approval by the California Coastal Commission, whichever occurs last.

This ordinance was introduced on the 21st day of November, 1995, and passed and adopted on the 14th day of December, 1995 by the following vote:

AYES: Council Members Graves, Garcia, Harlan and Mayor Fabrizio.

NOES: None.

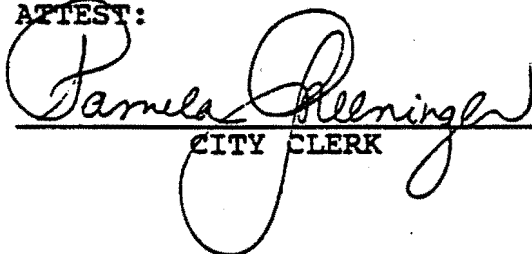
ABSENT: Council Member Routh.

ABSTAIN: None.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK, CMC/AAE