

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA
FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260

Th 15b ^{CSM}



Date Filed: June 30, 1977
Extended to: June 30, 1998
Staff: James Muth
Staff Report: September 19, 1997
Meeting of: October 9, 1997
Commission Action:

TO: Commissioners and Interested Parties

FROM: Steven F. Scholl, Deputy Director
Robert Merrill, North Coast District Manager
James Muth, Coastal Planner

SUBJECT: **City of Crescent City LCP Amendment No. 1-97 (major),**
Revised City-wide Sign Ordinance (for Commission consideration at
the meeting of October 9, 1997 in Del Mar)

SYNOPSISAmendment Description.

Crescent City LCP Amendment No. 1-97 would amend the Implementation Plan Program of City's certified Local Coastal Program to include a revised, City-wide sign ordinance.

Analysis Criteria.

To approve the amendment, the Commission must find that the Implementation Plan, as amended, conforms with and is adequate to carry out the policies of the Land Use Plan (LUP).

Summary of Staff Recommendation.

Staff recommends approval of the LCP amendment as submitted. In some cases, the proposed sign ordinance is more stringent than the current sign regulations in the coastal zone and in other cases less stringent. However, with respect to the protection of coastal resources, such as visual resources, historic resources, public access, and environmentally sensitive habitat areas the proposed amendment would provide equivalent or greater protection than the current sign ordinance. Staff believes the revised, City-wide sign ordinance conforms with and is adequate to carry out the LUP policies of the LCP. The appropriate motion and resolution to adopt the staff recommendation are found on page 2 of the staff report.

City of Crescent City
LCP Amendment No. 1-97 (major)

Page 2

Additional Information.

For further information, please contact James Muth at (415) 904-5260. Correspondence should be sent to the Coastal Commission at the above address, attention James Muth.

I. LCP AMENDMENT BACKGROUND.

Crescent City LCP Amendment No. 1-97 amends portions of the Implementation Plan Program of the City's certified Local Coastal Program to include a revised, City-wide sign ordinance. The LCP amendment was considered by the City's Planning Commission at one public hearing on November 9, 1995. The LCP amendment was considered by the City Council at public hearings on November 20, 1995, December 4, 1995, and December 18, 1995.

The LCP amendment was submitted to the Coastal Commission on April 28, 1997 and it was filed as complete on June 30, 1997. On August 14, 1997, the Coastal Commission voted to extend the 60-day time limit for Commission action on the LCP amendment for up to one year.

II. STAFF RECOMMENDATION ON LCP AMENDMENT NO. 1-97.

Staff recommends that, following a public hearing, the Commission adopt the following resolutions and related findings:

A. APPROVAL OF THE LCP AMENDMENT AS SUBMITTED.

MOTION A:

"I move that the Commission reject LCP Amendment No. 1-97 to the Implementation Plan portion of Crescent City's Local Coastal Program as submitted."

Staff recommends a NO vote on the motion, resulting in the approval of the LCP amendment as submitted and the adoption of the following resolution and findings. This motion requires a majority of those Commissioners present to pass.

RESOLUTION A:

The Commission hereby approves certification of LCP Amendment No. 1-97 to the Implementation Plan portion of Crescent City's Local Coastal Program as submitted, on the grounds that as amended the Implementation Plan conforms with and is adequate to carry out the provisions of the LUP as certified. Approval of the Implementation Plan amendment as submitted would have no significant impact on the environment within the meaning of CEQA.

City of Crescent City
LCP Amendment No. 1-97 (major)
Page 3

III. FINDINGS FOR APPROVAL OF THE LCP AMENDMENT.

The Commission hereby finds and declares as follows.

A. LCP AMENDMENT DESCRIPTION.

The proposed LCP amendment amends the City's Implementation Plan Program to incorporate a revised, City-wide, sign ordinance. The proposed sign ordinance to be added as Chapter 17.39 of the City's Implementation Program replaces the current provisions for signs in Chapter 17.74 (signs within the coastal zone) and Chapter 17.38 (signs outside the coastal zone). However, Chapters 17.74 and 17.38 will remain effective for legal non-conforming signs for a period of 15 years from the effective date of the new sign ordinance. The City's decision to combine and update its two separate sign regulations in one place is intended to make the new sign regulations easier to administer by the City.

In some respects, the proposed sign ordinance is more stringent than the current sign regulations in the coastal zone, and in other respects, less stringent. The specific differences between the current sign regulations in the coastal zone and the proposed, City-wide sign regulations are highlighted below and summarized on the two-page matrix in Exhibit No. 3.

Provisions of the proposed sign regulations that are more stringent than the current ordinance include the following:

1. Roof signs (except mansard roof signs), moving signs having flashing lights or a change in color intensity, wind blown devices (with some exceptions), abandoned signs, and general advertising signs would be prohibited in all districts;
2. Pole signs would be prohibited in the downtown commercial and Commercial Waterfront zones, and limited to one per parcel in all other zones;
3. Sandwich board signs would be prohibited except for grand openings of businesses and other special promotions;
4. The allowable projection of projecting signs would be slightly reduced;
5. Illuminated signs would be prohibited (except in commercial districts);
6. The maximum sign area for parcels in the downtown commercial zone would be reduced from one square foot of sign area per linear foot of street frontage to one-half square foot of area per linear foot of street frontage;
7. The maximum sign area for parcels in the City's General Commercial (C2), Coastal Zone - General Commercial (CZ-C2), Highway Services (HS), Coastal Zone - Highway Services (CZ-HS), Coastal Zone - Harbor Related (CZ-HR), and Commercial Manufacturing (CM) zoning districts would be

City of Crescent City
LCP Amendment No. 1-97 (major)
Page 4

reduced for parcels from two square feet of sign area per linear foot of street frontage to one and one-half square feet of sign area per linear foot of street frontage, and the largest permissible sign in the above referenced zoning districts would be reduced from 200 square feet of area to 150 square feet of area, except that buildings greater than 30,000 square feet in size would be permitted to have one wall sign that is 200 square feet in size.

8. Authority for enforcement would be given to more staff members and the ordinance language allows violators to be served a notice by the City, followed by prosecution by the City Attorney if the violation is not corrected; and
9. A time frame for the correction of non-conforming signs based on monetized depreciation would be established.

Provisions of the proposed sign ordinance that would be less restrictive than the current ordinance include the following:

1. Canopy and awning signs would be allowed in six more zones than in the current regulations;
2. Commercial banners advertising products for sale on the premises, which are prohibited under the current regulations, would be allowed at a rate of one per business in certain heavier commercial zones;
3. Promotional banners advertising special sales or grand openings, which are allowed only for grand openings under the current regulations, would be allowed by temporary permit up to three times per year per business for both grand openings and special sales events;
4. Sign area in the Residential-Professional zone would be increased from one-quarter to one-half square foot per each linear foot of street frontage;
5. Businesses would not be restricted to less than 20 square feet of sign area under any circumstances; and
6. Hanging signs would be allowed in the downtown commercial zones as well as in the general and highway commercial zones.

In addition to the above listed changes, the proposed amendment would also do the following:

1. Provide a more specific and detailed purpose section than the current sign ordinance for the coastal zone portion of the City;
2. Provide an "applicability" section in Chapter 17.39.020 which would make the sign ordinance more specific as to what criteria triggers the need for a sign permit;

City of Crescent City
LCP Amendment No. 1-97 (major)

Page 5

3. Expand the list of definitions to include definitions for certain signs addressed by the ordinance: abandoned sign, advertising display, A-frame, awning/canopy sign, balloon, banner, changeable copy sign, community event, construction sign, directional sign, flags, free-standing sign, general advertising sign, grand opening, hanging sign, holiday decorations, horizontal sign, mansard roof, mural, nameplate, paper sign, real estate sign, sandwich board sign, spinners, streamers, time and temperature device, and trailer sign;
4. Require that a temporary permit be obtained for pennants, signs, banners and/or ballons for the grand opening of a new business for a period of not more than the first 30 business days, and requires that a temporary permit be obtained for pennants, signs, banners and/or ballons for special sales or other business events not lasting more than five business days and not occurring more than three times in one calendar year;
5. Provide a specific list of what types of signs are allowed in the various coastal and non-coastal zones in the City;
6. Provide that a sign can be lighted at night, but only when services or product is available at that time;
7. Provide that murals without any commercial message are allowed in all non-residential zones, subject to approval by an architectural review committee;
8. Expand the list of signs which are exempt from the sign regulations to include, in addition to the signs that are already exempt, the following: (a) customer or tenant parking only signs, (b) window signs, (c) awning or canopy signs, (d) corporate flags, (e) government flags, (f) garage/moving/ yard sale signs, (g) one banner per business, (h) holiday decorations, (i) temporary or seasonal sales booths, and (j) community or special event signs;
9. Provide a new section on variances; and
10. Provide a more specific appeal process.

A number of exhibits are attached to the end of this staff recommendation. Exhibit No. 1 shows the location of Crescent City in northern California. Exhibit No. 2 includes 11 pages of text representing the current sign regulations in Chapter 17.74 of the City's coastal zoning ordinance. Exhibit No. 3 shows a two-page matrix that compares the current and proposed sign regulations. Exhibit No. 4 is a letter from the City's attorney responding to staff's inquiry that explains the rationale for a proposed amortization schedule, clarifies what signs need to be removed at the expiration of the applicable amortization schedule, and explains why the existing sign ordinance

**City of Crescent City
LCP Amendment No. 1-97 (major)**

Page 6

has a revocation and sunset clause. Exhibit No. 5 is a two-page ordinance (Ordinance No. 672) from the City Council that submits the proposed LCP amendment to the Coastal Commission. Finally, the 37 pages of Exhibit No. 6 contain the complete text of the proposed LCP amendment.

B. ANALYSIS OF LCP AMENDMENT.

To approve the amendment, the Commission must find that the Implementation Plan, as amended, conforms with and is adequate to carry out the policies of the Land Use Plan (LUP). The policies of the City's coastal land use plan that are applicable to this LCP amendment are listed below. The listed policies are then followed by a brief discussion indicating how particular provisions of the proposed LCP amendment conform with and are adequate to carry out the applicable policies of the City's coastal land use plan. The environmental impacts from signs are largely visual in nature. Consequently, most of the applicable LUP policies relate to the protection of visual resources, although other applicable LUP policies relate to the protection of historic resources, public access, and environmentally sensitive habitat areas.

1. Visual Resources.

a. LUP Policy No. (3) on page 21 states:

The City's major highway entrances should be developed as scenic corridors through the use of an architectural design theme, removal of overhead utilities, landscaping, and similar measures to improve the appearance of the approaches to the City.

In addition, LUP Policy No. 2 on page 22 states in applicable part:

The area of the Highway 101 southern entrance corridor shall be designated a "Scenic Highway" and the City shall control placement and design of signs.

The Highway Services (HS) and the Coastal Zone-Highway Services (CZ-HS) zones are the main zoning designations along Highway 101 at the southern entrance corridor to the City. Section 17.39.140 of the proposed sign ordinance would reduce the size of signs that are allowed in the zones located along the City's major highway entrances. Along the south entrance to town, which is mainly zoned Highway Services (HS) and Coastal Zone-Highway Services (CZ-HS), the total allowable sign area is reduced from two square feet per each linear foot of street frontage under the current regulations to one and one-half square feet per linear foot of street frontage under the proposed regulations. Along the north highway entrance to town, which is mainly zoned Commercial-Manufacturing (CM) and General Commercial (C2), the total allowable sign area has been reduced by the same amount as the HS and CZ-HS zones above. Section 17.39.140 also provides that signs erected in the Highway Services (HS) or Coastal Zone-Highway Services (CZ-HS) zones not exceed 150 square feet in size, with the exception of a building greater than 30,000

City of Crescent City
LCP Amendment No. 1-97 (major)

Page 7

square feet in size which may have a one wall sign that is 200 square feet in size.

The sign ordinance regulations are implemented through a sign permit program. Sign permits are separate from coastal development permits. However, in many cases both a sign permit and a coastal permits may be needed for a sign pursuant to Section 17.61.116 of the zoning ordinance. This section defines a "coastal development permit" to mean "the permit for any development within the coastal zone that is required pursuant to Section 30600(a) of the Coastal Act of 1976" and pursuant to Section 17.61.131 of the zoning ordinance which defines the term "development" in the same way that the same term is defined in Section 30106 of the Coastal Act. Coastal development permits are typically needed for free-standing signs. Those signs requiring coastal development permits in the appeal area could be appealed to the Coastal Commission.

The Commission finds that the proposed sign ordinance conforms with LUP Policy No. (3) above as reducing the size of future signs and billboards along the north and south entrances to the City is one measure that will improve the appearance of the approaches to the City. The Commission also finds that the proposed sign ordinance conforms with LUP Policy No. 2 above which requires the City to control the placement and design of future signs located along the southern entrance corridor to the City. The Commission further finds that together with other provisions of the City's certified Implementation Plan that address landscaping and fencing requirements as well as site plan and architectural review, the proposed ordinance and amendment to the Implementation Plan is adequate to carry out LUP Policies No. 2 and No. (3) above.

b. LUP Policy No. (4) on page 21 states:

All new development in the City should be of quality design and provide an adequate level of amenities.

Section 17.39.040, item number 8, of the proposed sign ordinance applies to "architecturally-controlled" signs, which are defined in Section 17.39.030 of the proposed sign ordinance as: "any sign that is submitted as part of, or related to, the design of a building, or group of buildings, constructed for commercial purposes, and that has gone through an approved process of design review." Section 17.39.040, item number 8, requires that such signs (when associated with a special development or are of an unusual nature or size) be reviewed and approved if Planning Commission finds that such signs conform with the intent of the proposed sign ordinance, are consistent with the goals of the General Plan, and are appropriate to the type of development to which the sign is related.

Section 17.39.050 of the proposed sign ordinance also includes various special provisions that apply to all signs that are generally permitted by the proposed ordinance. Among other things, Section 17.39.050 requires that:

City of Crescent City
LCP Amendment No. 1-97 (major)

Page 8

1. except for exempt signs which do not require a permit, a sign permit must be issued before the approved sign can be constructed or displayed;
2. the use of any sign that is obnoxious in character or location, or which is architecturally undesirable in the judgment of the Community Development Director, can be denied even though such sign complies with all other provisions of the proposed sign ordinance;
3. materials and construction methods that are used to construct signs and sign structures shall comply with the Underwriters Laboratory and the latest adopted edition of the Uniform Sign Code, Uniform Building Code, National Electric Code, and other applicable laws and ordinances;
4. once constructed, the front and back of all signs and sign structures shall be fully painted and shall be maintained in a safe condition and neat appearance;
5. signs that tend to attract motorists to a roadway-oriented business shall not be lighted except during hours that the merchandise or services are available; and
6. sign structures not used for signage purposes for more than 12 months shall be considered a nuisance and shall be removed.

The proposed sign ordinance retains provisions from the current sign regulations that allow the Planning Director to require that signs for special developments of an unusual nature or size be reviewed by the Planning Commission for their appropriateness to the type of development and, that allow the Planning Director to deny permits for signs which, in his or her judgment are architecturally undesirable, even though the sign might comply with all other provisions in the regulations. Such determinations by the Planning Director may be appealed to the Planning Commission and determinations of the Planning Commission may be appealed to the City Council.

By: (1) ensuring the review of architecturally-controlled signs under Section 17.39.040, (2) prohibiting any sign which is obnoxious in character or location or which is architecturally undesirable, (3) requiring the use of materials and construction methods that comply with uniform and standardized codes, (4) requiring that signs be maintained in a neatly appearing and safe condition, and (5) removing sign structures that have not been used for signage purposes for more than 12 months under Section 17.39.050, the Commission finds that the proposed sign ordinance is adequate to carry out LUP Policy No. (4) above to the extent that the policy is intended to apply to sign development.

City of Crescent City
LCP Amendment No. 1-97 (major)
Page 9

c. LUP Policy No. 1 on page 22 states:

The City shall encourage the maintenance of the visual and scenic beauty of Crescent City. No signs advertising commercial or privately owned businesses shall be erected in these areas zoned Open Space.

The proposed sign ordinance retains the restriction against any signs in the City's Open Space (O) and Coastal Zone-Open Space (CZ-O), other than public signs or signs identifying a use allowed in those zones with a use permit.

With retention of this restriction, the Commission finds that the proposed sign ordinance conforms with and is adequate to carry out the provisions of LUP Policy No. 1 which prohibit signs advertising commercial or privately-owned businesses in areas zoned as Open Space. Restricting the placement of signs within a designated open space zone will help keep such areas free of unnecessary and inappropriate signs.

2. Historical Resources.

a. LUP Policy (1) on page 20 states:

The remaining older structures which exhibit a significant historical value and serve as a reminder of the City's historical past should be preserved to the greatest degree possible. Priority should be given to preserving those structures of architectural or historical significance.

Section 17.39.180 of the proposed sign ordinance applies to historical signs, and it provides that signs which have historical significance to the community, but which do not conform to the provisions of the proposed new sign regulations, may be issued a permit to remain as long as the Crescent City Planning Commission makes the five following findings:

- A. The sign has historical significance for the community.
- B. The sign does not create a traffic hazard.
- C. The sign does not create a visual nuisance to the character of the community.
- D. The sign is properly maintained and structurally sound, or can be made so as part of an historical designation or preservation process.
- E. The sign does not adversely affect adjacent properties.

The Commission finds that the provisions of Section 17.39.180 that allow for historical signs to remain if the signs have historical significance and do not create adverse impacts on the community will be adequate to ensure that the intent of LUP Policy No. 1 to preserve historic structures to the greatest degree possible will be carried out with respect to historic signs.

City of Crescent City
LCP Amendment No. 1-97 (major)
Page 10

3. Coastal Access.

a. LUP Policy No. 3 on page 9 states:

The City shall assure that the public can easily locate existing access points. This recommendation is particularly applicable to public access south of Elk Creek. The present access points are indentified in the General Conditions section of this element and are again indentified as: Preston Island, Sixth Street, Fifth Street, Third Street, Battery Point, Howe Drive, and Sunset Circle. These access points shall be visibly marked.

Section 17.39.170 exempts public signs placed by a governmental agency, including directional signs and signs identifying places of scenic and historical interest from the requirement of obtaining a sign permit. The Commission therefore finds that the proposed sign ordinance conforms with and is adequate to carry out LUP Policy No. 3 above to the extent that the sign ordinance cannot be used to impede public's right to easily locate existing access points.

4. Environmentally Sensitive Habitat Areas.

a. LUP Policy No. 4 on page 29 states:

The City shall maintain a buffer zone of 50 feet around all identified wetlands. The only allowable uses within this buffer zone shall be those uses as provided for in Section 30240 et. seq. of the California Coastal Act of 1976 as described on page 24. Criteria for the establishment of the buffer zones for wetlands should be measured landward from the edge of the wetlands.

Section 17.61.511 of the City's zoning ordinance defines "wetlands" as "lands which may be covered periodically or permanently with shallow water and include saltwater marshes, open or closed brackish water marshes, freshwater marshes, swamps, mudflats, and fens." Sections 17.72.010 through 17.72.030 of the City's zoning ordinance establish a Natural Resources (NR) District in the coastal zone. Section 17.72.010 states:

The purpose of the natural resources district is to protect those areas in the city that have been identified as wetlands and to provide for a buffer zone to protect the wetlands. The uses of wetland and wetland buffers are limited to those in accordance with the natural resource policies of the coastal element of the general plan. Further, the natural resource policies provide the procedures to follow in order to specify the boundaries of any wetlands in this district.

Per Section 17.72.020 of the City's zoning ordinance, permitted uses within wetlands are limited to: (1) fish and wildlife management, (2) nature study, and (3) wetlands restoration. Conditionally permitted uses within wetlands

City of Crescent City
LCP Amendment No. 1-97 (major)
Page 11

are limited to: (1) incidental public service purposes, including but not limited to burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines, and (2) aquaculture. Section 17.72.020(C) also requires that certain specific standards will apply in granting a use permit in any wetland in the Natural Resources District, including but not limited to, the consideration of whether there are any feasible less environmentally damaging alternatives to the proposed project and whether feasible mitigation measures have been provided to minimize adverse environmental effects for projects requiring diking, filling, or dredging of wetlands.

Finally, Section 17.72.030 states in applicable part:

A. **Wetland Buffer.** A buffer area of fifty feet shall be maintained around all indentified wetlands. The only allowable uses within this buffer areas shall be those uses as provided for in Section 30240 of the California Coastal Act of 19765, as cited in the coastal element of the general plan. More specifically, development shall not occur within fifty feet of the landward edge of any indentified wetland, except for access paths, fences necessary to protect the area, and similar uses which have either beneficial or no significant adverse effects on environmentally sensitive habitat areas. The required rear, front, and side yard setbacks of a parcel may be located within the buffer area; however, no development other than that specified above may take place within that portion the yard setbacks located within the buffer area. Buffer areas for wetlands shall be measured landward from the edge of the identified wetlands.

B. **Determination of the Wetland Boundaries.** Wetlands may be generally portrayed on the city's coastal zone map and those areas as purchased by the Department of Fish and Game, or as modified using the criteria of Sensitive Habitat Policy 3 of the coastal element of the general plan.

As indicated above, the installation of a sign within a wetland or its buffer area is neither a permitted use nor a conditionally permitted use under the coastal zoning ordinance. Further, the installation of a sign within a wetland or its buffer area is not a use that is allowed under Section 30240 of the Coastal Act. Consequently, finds that the existing provisions of the City's coastal zoning ordinance conform with and are adequate to carry out LUP Policy No. 4 above as the placement of signs within a 50-foot-wide buffer area around an identified wetland is prohibited.

C. CEQA.

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirements of preparing an environmental impact report (EIR) in connection with a local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. Additionally, the Commission's Local Coastal program review and approval procedures have

City of Crescent City
LCP Amendment No. 1-97 (major)

Page 12

been found by the Resources Agency to be functionally equivalent to the environmental review process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an environmental impact report for each local coastal program submitted for Commission review and approval. Nevertheless, the Commission is required when approving a local coastal program to find that the local coastal program does conform with the provisions of CEQA. The Commission finds that certification of the Implementation Program amendment, as submitted, would require sign permits issued by the City of Crescent City, and in some cases would also require coastal development permits, either issued by the City of Crescent City, or in the case of areas of original jurisdiction, by the Coastal Commission. Throughout the coastal zone, specific impacts associated with individual development projects are assessed through the CEQA environmental review process; thus, an individual project's compliance with CEQA would be assured. Therefore, the Commission finds that there are no feasible alternatives under the meaning of CEQA which would reduce the potential for significant adverse environmental impacts which have not been explored.

9638p

A B C D E F G H I J K L M N O

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

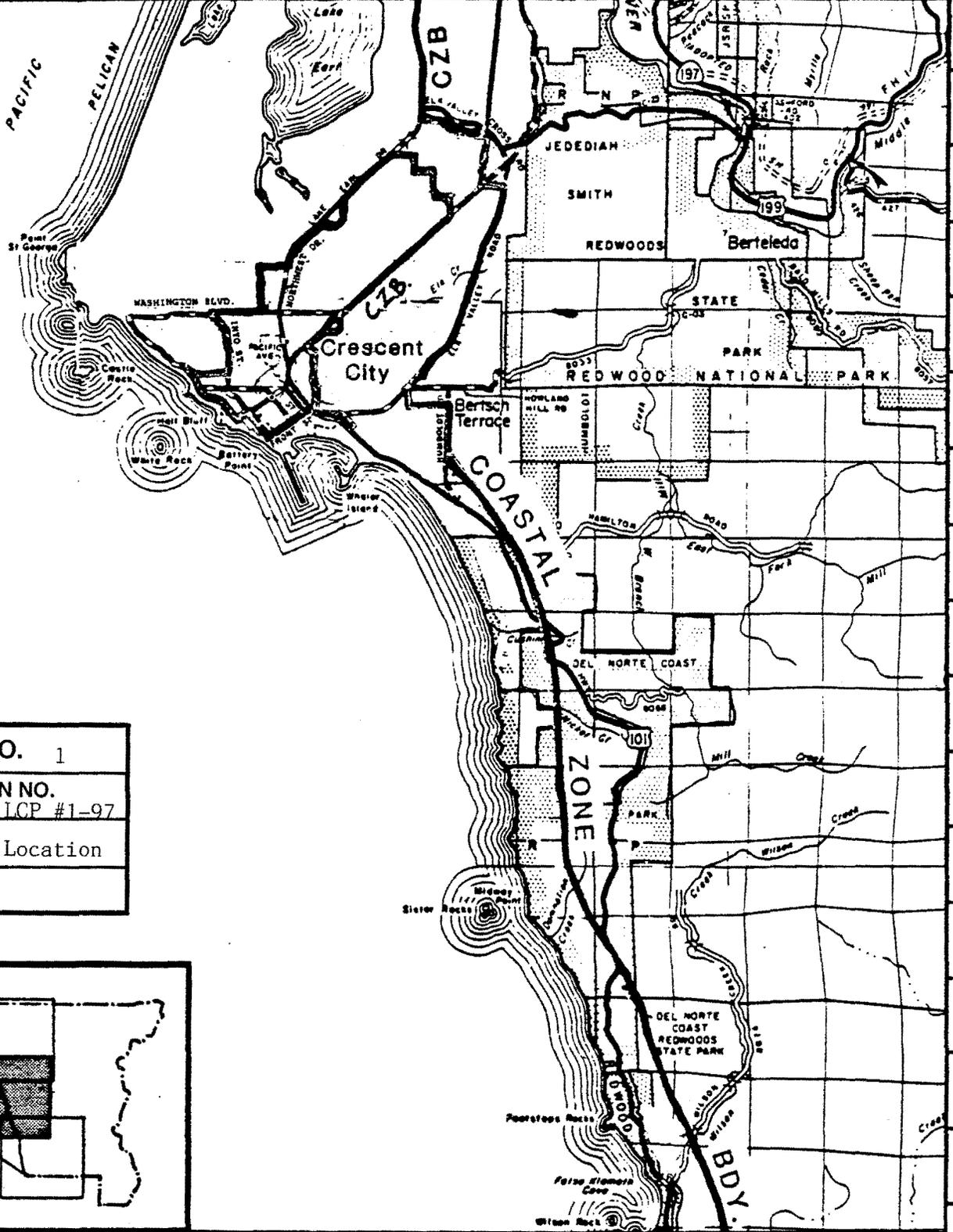
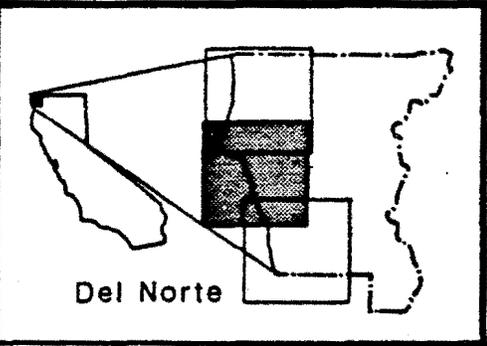
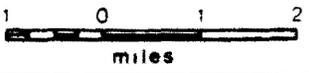


EXHIBIT NO. 1
APPLICATION NO. Cres City LCP #1-97
Regional Location



California Coastal Commission

LOCATION MAP



b. Aquaculture.

C. Specific Standards for Granting Use Permits. In addition to the requirements of Chapter 17.82, the following specific standards will apply to the granting of use permits in any identified wetlands in this district:

1. The diking, filling or dredging of open coastal waters, freshwater wetlands, estuaries and lakes shall be permitted where there is no feasible, less environmentally damaging, alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects:

2. The dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment shall be transported for such purposes to appropriate beaches or into suitable longshore current systems as identified in the coastal element of the city's general plan, more specifically those guidelines concerning diking, dredging and filling of shoreline structures:

3. The diking, filling or dredging of existing estuaries and/or wetlands shall maintain or enhance the functional capacity of the wetland or estuary. (Ord. 600 (part), 1984).

17.72.030 General provisions.

A. Wetland Buffer. A buffer area of fifty feet shall be maintained around all identified wetlands. The only allowable uses within this buffer area shall be those uses as provided for in Section 30240 of the California Coastal Act of 1976, as cited in the coastal element of the general plan. More specifically, development shall not occur within fifty feet of the landward edge of any identified wetlands except for access paths, fences necessary to protect the area, and similar uses which have either beneficial or no significant adverse effects on the environmentally sensitive habitat areas. The required rear, front and side yard setbacks of a parcel may be located within the buffer area; however, no development other than that specified

above may take place within that portion the yard setbacks located within the buffer area. Buffer areas for wetlands shall be measured landward from the edge of the identified wetlands.

B. Determination of the Wetland Boundaries. Wetlands may be generally portrayed on the city's coastal zone map and those areas as purchased by the Department of Fish and Game, or as modified using the criteria of Sensitive Habitat Policy 3 of the coastal element of the general plan.

C. Street Improvements. Streets indicated in the McNamara-Gillespie annexation area have not been developed; their development is subject to LCP policies and permit requirements. (Ord. 600 (part), 1984).

Chapter 17.74

COASTAL ZONE SIGNS

Sections:

- 17.74.010 Purpose.
- 17.74.020 Definitions.
- 17.74.030 Generally.
- 17.74.040 Exempt signs.
- 17.74.050 Prohibited signs.
- 17.74.060 Illumination.
- 17.74.070 Special provisions.
- 17.74.080 Coastal regulations for specific uses and districts.
- 17.74.090 On-site signs along limited access highways, expressways, and freeways.
- 17.74.110 Types—Generally.
- 17.74.120 Signs having double faces.
- 17.74.130 Projective signs.
- 17.74.140 Wall signs.
- 17.74.150 Marquee signs.
- 17.74.160 Pole or freestanding sign.
- 17.74.170 Architecturally controlled signs.
- 17.74.180 Subdivision signs.
- 17.74.190 Temporary construction signs
- 17.74.200 Real estate s

EXHIBIT NO. 2
APPLICATION NO. Cres City LCP #1-97
current sign ordinance

- 17.74.210 Street banners.
- 17.74.220 Sign permits—Generally.
- 17.74.230 Sign permit—Application.
- 17.74.250 Sign permit—Appeal.
- 17.74.260 Sign permit—Revocation.
- 17.74.270 Appeals to city council.
- 17.74.280 Use of nonconforming signs—
Exemptions.

17.74.010 Purpose.

The purpose of these regulations is to provide for the control of outdoor advertising within the coastal zone in keeping with the safety, convenience and welfare of the general public, and for the following more specific reasons:

A. To assist in providing a more uniform method of advertising various businesses, services and opportunities;

B. To protect the various zoning districts against indiscriminate use of outdoor advertising and promote an orderly and pleasing means of attracting the general public to the advertiser. (Ord. 587 (part), 1983).

17.74.020 Definitions.

The following abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this section for this chapter.

Words used in the singular include the plural, and the plural the singular. Words used in the present tense shall include the future tense, and the words used in the masculine gender shall include the feminine and the feminine the masculine.

1. "Animated" means having the appearance of action or motion by use of color changes or lighting position, having no change in intensity or flashing appearance, requiring electrical energy, electronic or manufactured sources of supply. This definition does not include public service signs such as time and temperature units.

2. "Architecturally-controlled sign" means any medium or structure designed to attract attention to a business and/or its products which is submitted as part of or related to the design of a building or group of buildings constructed for commercial purposes.

3. "Beacon" means a rapidly rotating fixed light giving appearance of a flashing light.

4. "Billboard" means a freestanding, off-site sign including, but not limited to, painted, poster, and multicopy display surfaces.

5. "Code enforcement official" means the officer or other person charged with the administration and enforcement of these regulations.

6. "Canopy" means a permanent covering over a walkway or driveway wholly supported on each side by posts or walls or partially supported by posts or a wall and an adjacent building.

7. "Combination sign" means any sign incorporating any combination of the features of pole (freestanding), projecting, and roof signs.

8. "Curblin" means the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curblin shall be established by the public works director.

9. "Display surface" means the area made available by the sign structure, including background area, for the purpose of displaying the advertising message.

10. "Double-faced sign" means two faces back-to-back, and not less than three hundred forty-five degrees between display surfaces.

11. "Electric sign" means any sign containing electrical wiring, but not including signs illuminated exclusively by an exterior light source.

12. "Flashing" means breaking forth periodically or like a sudden flash or flare; appearing suddenly or rapidly.

13. "Ground sign" means a sign which is supported by two or more uprights, poles, or braces, in or upon the ground other than a combination sign or pole (freestanding) sign, as defined by this section.

14. "Horizontal sign" means a projecting sign having its greatest dimension in a horizontal direction.

15. "Legal setback line" means a line established by ordinance on the street or roadside on which no building may be built.

16. "Luminescence" means an emission of light produced by electrical action.

17. "Marquee" means a permanent roofed structure attached to and supported by the building and projecting over public property.

18. "Nonstructural trim" means the molding, battens, caps, nailing strips, latticing, cutouts or letters and walkways which are attached to the sign structure.

19. "Off-site sign" means an advertising

structure which is located on property other than that occupied by the business, products or services advertised, including billboards.

20. "On-site sign" means an advertising structure which is located on the property or building occupied by the business, product, or services advertised.

21. "Painted sign" means any sign the subject matter of which is painted directly on the surface of a building, structure, or temporary display surface.

22. "Pole sign" means any sign wholly supported by one or more poles or posts free of braces or cables in the ground or in a concrete base.

23. "Portable display surface" means a display surface which can be temporarily fixed to a standardized advertising structure and which can be regularly moved from structure to structure.

24. "Projecting sign" means a sign other than a wall sign which projects from and is supported by a wall of a building or structure.

25. "Projecting" means the distance by which a sign extends over or beyond the building line.

26. "Revolving sign" means signs which revolve no more than six revolutions per minute.

27. "Right-of-way line" means a line parallel to the centerline of a road or street, a specified distance therefrom equal to one-half of the deeded width or one-half the maintained width of the road where there is no deeded right-of-way.

28. "Roof height" means the vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof, ridge, or parapet wall.

29. "Roof sign" means a sign erected upon or above a roof or parapet of a building or structure.

30. "Rotating" means turning about an axis or center, revolving.

31. "Sign" means any medium, including its structures and component parts, which is

used or intended to be used to attract attention to the business or subject matter for advertising or informational purposes.

32. "Sign area" means and is determined as follows:

a. Where the lettered or illustrative material of a sign is placed upon a signboard or other part of a sign structure, whether framed or unframed, and having a continuous or essentially continuous surface or face (whether flat, curved, spherical, cylindrical, angulated or otherwise), the sign area is the area of the surface or face of the board or sign structure upon which it is placed. Building walls shall not be considered to be sign structures for the purpose of this subsection.

b. Where the lettered or illustrative material comprising a sign is not placed in the manner described in subdivision (a) of this subsection, the sign area is the area which would be encompassed within a frame extending two inches beyond the outermost boundaries of the lettered or illustrative material. This subsection shall be used for, but shall not be limited to, determining the sign area of signs painted or otherwise placed directly upon building walls.

33. "Sign height" means the vertical distance from the average grade at the base of the sign structure to the uppermost point of the sign. Superficial ornamentation trim, or column caps shall not be included in the height of the sign.

34. "Sign structure" means any structure which supports or is capable of supporting any sign as defined in this section. A sign structure may be a single pole, several poles, frame structure, or may be an integral part of the building.

35. "Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, but not including fences or walls used as fences three feet or less in height.

36. "Temporary sign" means a sign limited in time of use under the terms of the sign permit or this title.

37. "Vertical sign" means a projecting sign having a vertical dimension in a vertical

"Wall sign" means a sign using for its advertising surface a nonprojecting integral wall of a building or sign attached entirely to such wall.

39. "Vehicle sign" means any sign affixed to a vehicle. (Ord. 587 (part), 1983).

17.74.030 Generally.

The regulations specified in this chapter shall be subject to the general provisions and exceptions set forth in Sections 17.74.040 through 17.74.280. (Ord. 587 (part), 1983).

17.74.040 Exempt signs.

The following types of nonilluminated signs are exempt from all provisions of this chapter, exclusive of construction, maintenance, public nuisance, and safety regulations:

A. Small Signs. Signs not exceeding two square feet in display surface which indicate the name and occupation of building tenants, and which are attached flat against the building;

B. Public Signs. Signs of a public, noncommercial nature, which shall include safety signs, danger signs, and signs indicating scenic or historical points of interest;

C. Room, Board and Rental Signs. Signs not exceeding four square feet in area on the premises of an occupied dwelling announcing room and board, room, or apartment for rent;

D. Traffic Directing Signs. Directional signs not exceeding three square feet for each sign indicating traffic movement onto or within a premises. No more than one such sign shall be permitted at each entrance or exit;

E. Construction Period Signs. Signs announcing the names of architects, engineers, and/or contractors of a building under construction, alteration or repair and signs announcing the character of the building enterprise or the purpose for which the building is intended may be placed on the property or attached to the outside of such building during the period

of time when the contractor is actively engaged in such work, provided such signs shall not exceed thirty-two square feet in display surface and are on private property. Larger signs of this type may be permitted provided a sign permit is first secured. See Section 17.38.190;

F. Real Estate Signs. In CZ-R1B, CZ-R1, CZ-R2 and CZ-RP districts, one unlighted sign not more than six square feet in area may be placed in the yard or attached to the outside of a building, stating that the site is for rent or for sale by the named owner or agent and giving information regarding price and terms. If the sign is in a yard area, the top of the sign must not be more than three and one-half feet above the ground level. In all other districts, such signs shall not exceed twelve square feet in area, and shall be so located on the property that traffic sight distance at intersection is not impaired;

G. Political Campaign Signs. Signs or posters not exceeding ten square feet in display surface, announcing candidates seeking political office. Such signs shall be located on private property and shall be removed within two weeks after the election for the office sought;

H. Portable Signs. Signs mounted on legs which rest directly on the ground by means of "A" frames, "T" frames, or pedestals. Such signs shall be limited to a maximum of fifteen square feet for each display surface and shall be spaced no closer than fifty feet apart with a maximum of two such signs per establishment. Such signs shall be limited to zones or uses specified in the various use districts;

I. Barber Pole Signs. Barber poles projecting not over eighteen inches from the face of the building in which is located a barber shop;

J. Trespassing Signs. Signs not over four square feet in area indicating limitation on use of private property by other than the owners;

K. Pennants and Spinners. Banners, posters, pennants, ribbons, streamers, or spinners advertising an opening or special event may be used on site for a period not to exceed two weeks. (Ord. 587 (part), 1983).

17.74.050 Prohibited signs.

Signs and advertising structures are not permitted under the following conditions:

A. Advertising structures shall not endanger the health or safety by causing distraction to operators of motor vehicles on streets, highways, expressways, or freeways.

B. Red, green or amber lights or illuminated signs shall not be placed in such a position that they could reasonably be expected to interfere with, or be confused with any official traffic control device or traffic signal or official directional guide sign.

C. Signs shall not bear the words STOP, GO, SLOW, CAUTION, DANGER, WARNING, or similar words in such a manner as to imitate or be confused with public traffic control sign.

D. Signs shall not be erected so as to hide from view any traffic or street sign or signal.

E. Signs shall not bear or contain statements, words, or pictures, of an obscene, indecent, or immoral character, such as will offend public morals or decency.

F. Signs shall not be erected or operated in such a manner as to be a nuisance to adjoining uses.

G. Signs shall not be maintained or permitted to remain on any premises which advertises or publicizes any activity, business, product or service permanently discontinued.

H. Signs or businesses shall not use banners, posters, penants, ribbons, streamers, or spinners other than those permitted in Section 17.74.210 for a period longer than two weeks unless prior approval has first been obtained from the city.

I. Signs shall not be displayed without being permanently fixed to the ground by a sign structure unless it is a temporary sign or a vehicle sign.

J. Signs shall not be erected or placed on a vehicle which is nonoperable or unlicensed, or not in normal use. (Ord. 587 (part), 1983).

17.74.060 Illumination.

All signs shall be subject to the following illumination requirements:

A. Light from an illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding areas and uses.

B. Except for animated signs and public service signs such as time and temperature units, flashing lights, beacons or other interrupted illuminating devices shall not be permitted. (Ord. 587 (part), 1983).

17.74.070 Special provisions.

The following provisions shall apply to all signs generally permitted by these regulations:

A. All signs other than exempt signs permitted by Section 17.74.040 shall require a sign permit issued pursuant to Sections 17.74.220 et seq.

B. All individual signs in excess of one hundred square feet in surface area per face shall have the written approval of the public works director prior to the issuance of a sign permit.

C. The use of any sign which is obnoxious in character or location, or which is architecturally undesirable in the judgment of the public works director and the planning commission can be denied even though such sign complies with all other provisions of the title.

D. Materials used in the construction of signs and sign structures and the construction thereof shall comply with Underwriters Laboratory and the latest adopted edition of the Uniform Sign Code, Uniform Building Code, Electrical Safety Order, and other applicable laws and ordinances.

E. Once constructed, all the front and back of all signs and sign structures shall be fully painted and shall be maintained in a safe condition and neat appearance.

F. Signs which tend to attract motorists to a roadway-oriented business shall not be lighted except during hours that merchandise or services are available. (Ord. 587 (part), 1983).

17.74.080 Coastal regulations for specific uses and districts.

Coastal regulations for specific uses and districts shall be as follows:

CONTROLS

Size:

1. Name places 2 sq. ft. sign area, nonilluminated
2. Announcement boards; maximum 12 sq. ft. sign area
3. Maximum 1/2 sq. ft. of sign area for each linear ft. frontage
4. Maximum 2 sq. ft. of sign area for each linear ft. frontage
5. Maximum sign area 36 sq. ft. per face
6. Maximum sign area 100 sq. ft. per face
7. Maximum sign area 200 sq. ft. per face
8. Parking lot directional signs, maximum sign area 6 sq. ft. at each access point

Type and Location:

1. Flat against wall of building
2. Pole sign 200 sq. ft. maximum sign area
3. Combination sign
4. Ground sign not to exceed 5 ft. in height
5. Projecting signs
6. Portable signs

Height:

1. Maximum height 20 feet.

Special Requirements:

1. Signs only pertaining to goods and services sold on premises
2. Requires approval by planning commission
3. Setback 10 ft. from property line
4. Only identification sign at access point not to exceed 2 sq. ft.

	CZ-R1 Single-Family	CZ-R2/CZ-RP 2-3 Family	CZ-RP Apartment	CZ-RP Offices	CZ-RP Hospitals	CZ-RP Motels	CZ-C2 Commercial	CZ-HS Highway Services	CZ-HR Harbor-Related	Churches, Schools	Parking Lots	Institutional Uses in R3, RP Dist.	Special Uses per Dist. Regulations
1. Name places 2 sq. ft. sign area, nonilluminated	X	X		X									
2. Announcement boards; maximum 12 sq. ft. sign area				X						X		X	
3. Maximum 1/2 sq. ft. of sign area for each linear ft. frontage				X						X		X	
4. Maximum 2 sq. ft. of sign area for each linear ft. frontage								X	X				
5. Maximum sign area 36 sq. ft. per face			X							X		X	
6. Maximum sign area 100 sq. ft. per face					X	X							
7. Maximum sign area 200 sq. ft. per face								X	X				
8. Parking lot directional signs, maximum sign area 6 sq. ft. at each access point											X		
1. Flat against wall of building	X	X	X	X	X	X			X	X		X	
2. Pole sign 200 sq. ft. maximum sign area								X					
3. Combination sign								X					
4. Ground sign not to exceed 5 ft. in height			X	X	X			X	X	X		X	
5. Projecting signs								X					
6. Portable signs								X					
1. Signs only pertaining to goods and services sold on premises									X				
2. Requires approval by planning commission				X									
3. Setback 10 ft. from property line			X	X			X					X	
4. Only identification sign at access point not to exceed 2 sq. ft.													X

The above regulations shall apply to the uses and districts specified in this chapter, and shall be subject to those regulations given in previous sections of this chapter. (Ord. 587 (part), 1983).

17.74.090 On-site signs along limited access highways, expressways, and freeways.

A. Signs may be placed on property visible from limited access highways, expressways, and freeways if such signs:

1. Advertise the sale or lease of the property upon which they are located; or
2. Name the owner or occupant or identify the premises.

B. All signs shall be wholly located on private property.

C. Each commercial activity may have one major single-faced or double-faced identity sign not less than nine feet above the ground where there is vehicle or pedestrian traffic. Such signs shall not exceed two hundred square feet for one face nor more than four hundred square feet for two or more faces. This sign shall be an entity and not part of any other sign allowed on the property. Where freestanding signs are adjacent to the highway, such signs may be located between the highway right-of-way and the setback line provided a sign permit has been approved by the planning commission for the location of the sign.

D. The total area of all other signs on the property shall not exceed one square foot for each linear foot of building street frontage or one hundred feet per sign with a maximum number of four signs per building. (Ord. 587 (part), 1983).

17.74.110 Types—Generally.

The types of signs set forth in Sections 17.74.120 through 17.74.210 will be permitted for the various uses allowed in Section 17.74.080 and must be limited to the restrictions set forth in Sections 17.74.120 through 17.74.210 in addition to those required in Chapters 17.64 through 17.72. Additional special use signs are also described in this chapter. (Ord. 587 (part), 1983).

17.74.120 Signs having double faces.

Pole signs, revolving signs, projecting signs

under canopy, and roof signs may have double faces. Where such signs and marquees have double faces and are included in total sign area, the area of one face only need be included in the total area allowed. Where the two faces are different areas, the larger of the two must be counted as part of the total sign area. (Ord. 587 (part), 1983).

17.74.130 Projecting signs.

Projecting identity signs identifying the business conducted on the premises shall be located at least nine feet above the sidewalk, no more than three feet above the roofline at the wall or parapet line of the building, and shall not project into public property by more than one-third of the distance to the curbline, with a maximum projection of four feet. The area of such sign shall be included in the total allowable aggregate sign area provided in these regulations. (Ord. 587 (part), 1983).

17.74.140 Wall signs.

A. Flat wall signs identifying each business conducted on the premises may be painted on the surface of the building or attached to the face of the building, no point of which shall project over eighteen inches from the face of the building. Wall signs shall not occupy more than twenty percent of the area of the building surface envelope from not less than nine feet above the sidewalk to three feet above the roofline at the face of the building or to the top of the parapet, whichever is higher. The area of such sign shall be included in the total allowable aggregate sign area as provided above.

B. On buildings which are two or more stories in height, but which are occupied above the first floor by other than the ground floor business, the first floor envelope shall extend to the bottom of the above-floor window line. The second floor envelope shall extend from the bottom of the second floor window line to the bottom of the above-floor window line, or to three feet above the roofline at the wall line, or

to the top of the parapet, whichever is higher. (Ord. 587 (part), 1983).

17.74.150 Marquee signs.

A. For purposes of computing sign area, signs on the face of a marquee which is parallel to the front wall of a building shall be considered as part of the flat wall sign envelope and signs on other faces of a marquee shall be considered as a double-faced projecting sign.

B. Single or double-faced signs placed under marquees or canopies shall be limited to a maximum size of eighteen inches high and sixty inches long, and shall be not less than nine feet from the sidewalk line to the bottom of the sign. Only one side of these signs shall be used in computing total aggregate sign area. (Ord. 587 (part), 1983).

17.74.160 Pole or freestanding sign.

Provisions for pole or freestanding signs shall be as follows:

A. Minimum height over vehicular area – fourteen feet to bottom of sign;

B. Minimum height over public pedestrian areas – nine feet to bottom of sign;

C. Maximum height – thirty feet to top of sign unless a sign permit for a higher sign has first been approved by the planning commission;

D. Minimum setback from right-of-way line – one-half the distance from the road right-of-way line to the legal setback line. (Ord. 587 (part), 1983).

17.74.170 Architecturally controlled signs.

Signs for a special development of an unusual nature or size may be reviewed and approved if acceptable by the planning commission for their conformance with the intent of this chapter and their appropriateness to the type of development to which they are related. (Ord. 587 (part), 1983).

17.74.180 Subdivision signs.

In new subdivisions in all districts a maximum of three signs, not exceeding sixty-four

square feet of area per face of each sign, may be erected. Such signs shall be located within the subdivision at a minimum distance of three hundred feet apart. Said signs shall be placed and maintained only pursuant to a permit issued by the city building department upon the deposit of a cash bond in the amount fixed as the estimated cost of removal of the signs. (Ord. 587 (part), 1983).

17.74.190 Temporary construction signs.

In any district, an unlighted sign not more than sixty-four square feet in area, bearing only the name, address and telephone number of any duly licensed contractor who is engaged in the construction of a building, may be placed on the property or attached to the outside of such building during the period of time when the contractor is actively engaged in such work, after a sign permit has first been obtained from the building department. (Ord. 587 (part), 1983).

17.74.200 Real estate signs.

Real estate signs up to sixty-four square feet in area, advertising the sale or lease of property in commercial districts may be constructed on such properties after a sign permit has first been obtained from the building department. (Ord. 587 (part), 1983).

17.74.210 Street banners.

Street banners advertising a public entertainment event may be installed if approved by the public works director at locations designated by the director for fourteen days before the first performance and until four days after the last performance. (Ord. 587 (part), 1983).

17.74.220 Sign permits—Generally.

Sign permits may be revocable, conditional, or valid for a term period, and may only be issued for any of the uses or purposes for which such permits are required or permitted by the terms of these regulations. (Ord. 587 (part), 1983).

17.74.230 Sign permit—Application.

A. Application for a sign permit shall be made to the planning department in writing on a form provided by the planning commission and shall be accompanied by plans and specifications for all signs to be constructed. Such plans and specifications shall specify the materials, location on property, and type of construction to be used in the sign and shall be approved by the building department prior to the issuance of the sign permit.

B. The sign permit application shall be accompanied by a fee established by city council resolution. In addition, signs subject to building and electrical codes shall also be subject to additional fees as determined by the city.

C. Upon receipt of a complete sign permit application, the planning director and public works director shall issue a sign permit for those signs complying with these regulations. (Ord. 587 (part), 1983).

17.74.250 Sign permit—Appeal.

A. An applicant or resident may appeal a city staff decision regarding any sign permit to the city's planning commission. The planning commission, upon receipt of an appeal, shall schedule and advertise a public hearing on the matter.

B. Subsequent to the public hearing, the planning commission may issue the sign permit if the findings of the commission shall be that the establishment, maintenance or operation of the sign applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood, and that such sign is in harmony with the general purposes of these regulations.

C. The planning commission may designate such conditions as it deems necessary to secure the purposes of these regulations, and may require a guarantee and/or bond to assure compliance with such conditions. (Ord. 587 (part), 1983).

17.74.260 Sign permit—Revocation.

A. In any case where the conditions of granting of a sign permit have not, or are not complied with, the planning commission shall give notice to the permittee by certified mail sent to the address shown on the application for the sign permit at least ten days prior to a hearing thereon. At the conclusion of the hearing the planning commission may revoke such permit. Such revocation shall be subject to the right of appeal in the same manner as set forth in Section 17.74.270.

B. In any case where a sign permit has not been used within six months after the date of granting thereof, then, without further action by the planning commission or city council, the sign permit granted shall be null and void. (Ord. 587 (part), 1983).

17.74.270 Appeals to city council.

A. Any person aggrieved by an action of the planning commission may take an appeal to the city council by filing a notice of appeal with the clerk of the city council and with the planning commission within ten days of the action of the planning commission.

B. The city council shall consider the appeal and the record upon which the action appealed from was taken, and may, at its own discretion, cause the matter to be set for a public hearing.

C. If the city council causes the matter to be set for a public hearing, notice of the hearing shall be given by publication in a newspaper of general circulation, printed and published in the city, at least ten days prior to the hearing. The hearing may be continued from time to time.

D. Within thirty days of the filing of the notice of appeal, the city council shall render its decision on the matter. Failure of the city council to render its decision on the matter within thirty days of the filing of the notice of appeal shall be deemed to be a denial of the appeal and an affirmation of the action of the planning commission. The decision of the city council upon appeal is final and conclusive as

to all things involved in the matter. (Ord. 587 (part), 1983).

17.74.280 Use of nonconforming signs—

Exemptions.

The types of signs existing on the date of the passage of the ordinance codified in this chapter which do not conform to the regulations of this title will constitute nonconforming signs and may continue to be used even though such signs are nonconforming, except for the following:

A. If the actual use of a nonconforming sign ceases for a period of thirty days or more for a year-round business or for a period of six months or more for a seasonal business, the sign shall be removed. Such sign shall be removed within a period thirty days after the termination of the need for the sign.

B. Any flashing sign, animated sign, beacon, or signs containing interrupted lights as defined and prohibited by this chapter, which are in existence at the time the ordinance set out in this chapter is codified shall be a nonconforming sign and will be required to be removed within five years from the date the ordinance set out in this chapter is codified.

C. Any sign destroyed by fire, wind or accident to the extent of fifty percent of its physical value as determined by the city building inspector must be replaced by a sign conforming to the requirements of this part.

D. Nonconforming signs which have been neglected to the point where the building department or planning commission feels that the sign becomes a public nuisance shall be required to be removed or be replaced by new signs in conformance with this chapter. (Ord. 587 (part), 1983).

Chapter 17.75

COASTAL ZONE FENCES

Sections:

- 17.75.010 Purpose.**
- 17.75.020 In residential districts.**
- 17.75.030 Exceptions—Corner and key lots.**
- 17.75.040 Parking lots or nonresidential development.**
- 17.75.050 General provisions.**
- 17.75.060 Appeal.**

17.75.010 Purpose.

Fences are permissible for all residential districts under conditions and restrictions as stated in this chapter. Fences are mandatory for specific uses and shall be erected as required. For those uses already existing which do not have the required fencing, they shall be considered nonconforming and may continue in operation for an indefinite period of time as prescribed by the section on nonconforming uses. When such uses are proposed for remodeling, enlargement or extension of use, then they shall be required to conform to this section. For the purposes of definition, "fence" means a structure made of wire, wood, metal, masonry or other materials, and includes a hedge which is further defined as a barrier formed by branches, shrubs or small trees growing close together in a line with interwoven branches. (Ord. 587 (part), 1983).

17.75.020 In residential districts.

Regulations for fences in residential districts shall include the following:

A. Front yards, maximum height above grade not to exceed thirty-six inches except that the fence may be erected to a maximum height of forty-eight inches; provided, that any fence which exceeds thirty-six inches is uniformly open to the extent of thirty-three and one-third percent. "Uniformly open" means that the interstices between the solid material of the

EXHIBIT NO. 3
APPLICATION NO. Cres City LCP #1-97
matrix summary

**City of Crescent City
Sign Ordinance Revisions**

Sign Type or Issue	Current Regulations	Proposed Regulations
1. Canopy/Awning Signs	6 square feet per face, only allowed in C1, C2 and shopping centers	Only allowed on valance or as a hanging sign, also permitted in RP, CZ-RP, CW, CZ-C2, HS & CZ-HS
2. Commercial Banners (banners advertising products)	Prohibited	One per street frontage in C2, CZ-C2, HS, CZ-HS and CW zones.
3. Temporary promotional signs (balloons, pennants, spinners, flags, banners for sales events)	Not allowed, except for grand openings, flags not addressed	For special sales only, 5 days only, 3 times per year, temporary permit required
4. Community Event Signs (non-commercial)	Not addressed	Exempt from permits, must be removed 14 days after event
5. Pole Signs	No limit on quantity, 30 ft. high, 200 sq. feet in area	One per parcel, 30 ft. high, prohibited in C1 and CW
6. Trailer/Vehicle Signs	Prohibited	Prohibited
7. Off-site signs	Two per business, 30 ft. high, 200 sq. feet in area	Not addressed, ordinance pertains to on-premises signs only.
8. Sandwich Board Signs	Two per business, 15 sq. ft. along highway, prohibited downtown	Prohibited, except for grand openings
9. Roof Signs	No limit on quantity, 200 sq. feet in area	Prohibited
10. Sign Area - RP	1/4 square feet per linear foot of frontage for RP.	1/2 square foot per linear foot of frontage, parcels with multiple frontages get 1/4 square foot per linear foot of shorter frontages
Sign Area - CZ-RP	36 square feet for CZ-RP, 100 sq ft for motels & hospital	Same as RP
Sign Area - C1	1 square feet per linear foot of frontage for C1	1 square foot per linear foot of frontage, parcels with multiple frontages get 1/2 square foot per linear foot of shorter frontages, 100 sq.ft. max., 20 sq. ft. min.

Sign Type or Issue	Current Regulations	Proposed Regulations
Sign Area - C2, CZ-C2, HS, CZ-HS, CZ-HR, CM and shopping centers	2 square feet per linear foot of frontage for C2, CZ-C2, HS, CZ-HS, CZ-HR, CM and shopping centers	1 1/2 square foot per linear foot of frontage for C2, CZ-C2, HS, CZ-HS and CM, 150 sq. ft max., 20 sq. ft. min.
11. Political Campaign Signs	Exempt from permit, not to exceed 16 sq. ft., to be removed within two weeks after election	Exempt from permit, not to be placed on public structures, not to be posted 60 days before or 10 days after election
12. Size Restrictions	200 square feet	150 sq. feet in C2, CZ-C2, HS, CZ-HS & CM zones. No business restricted to less than 20 sq. ft.
13. Consistency	Separate sections for coastal & non-coastal zones with minor differences	Rules combined, with no differences in regulations for similar coastal & non-coastal zones
14. Non-conforming Signs	Must be removed if business closes, signs with moving parts to be removed within 5 years from 1989, signs destroyed by more than 50% must conform to regulations, neglected signs to be removed	Must be removed or made to conform within 60 days after written notice when use of site changes, building is altered, sign is destroyed by more than 50%, or under regulations listed under "Enforcement"
15. Ground Signs	Not to exceed 5 feet in height for apartments, churches, schools, shopping centers and similar uses.	Not to exceed 5 ft. in height for apts., larger for institutional uses in res. zones, not to exceed 5 ft. in height in RP, CZ-RP, C1, CW, C2, CZ-C2, HS, CZ-HS & CM
16. Hanging Signs	Not allowed in downtown	Allowed in highway and downtown commercial zones
17. Bed and Breakfast Establishments	Not addressed	One sign not to exceed 20 sq. ft. made of non-plastic materials
18. Enforcement	No effective method, voluntary compliance	Authority for enforcement given to more staff members, violator served notice, then matter turned over to City Attorney for prosecution
19. Amortization	Not addressed.	Applies to on-premises signs in redevelopment area only

EXHIBIT NO. 4
APPLICATION NO. Cres City LCP #1-97
clarification letter

Office of the City Attorney
Crescent City, California

dohn r. henion
City Attorney

879 "J" Street
P.O. Box 886
Crescent City, CA 95531
(707) 464-9761
FAX 464-9763

June 19, 1997

James J. Muth
Coastal Planner
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Re: Crescent City Sign ordinance

Dear Mr. Muth:

Your letter dated June 5, 1997, has been referred to this office for comment on items 5 through 8.

Item 5 requests the city's rationale for the amortization schedule reflected in 17.39020(1)(J) which section states:

"Except where the provisions of this ordinance provide for earlier sign removal, On-Premises Advertising Displays located in redevelopment project areas created pursuant to Community Redevelopment Law of Division 24 of the California Health and Safety Code, shall be removed or made to conform within sixty (60) days after written notice by the Community Development Department, in accordance with the following schedule:

<u>Original Value of Sign</u>	<u>Amortization Period</u>
Less than \$500	One year
\$500 to \$999	Two years
\$1000 to \$2999	Four years
\$3000 to \$5999	Eight years
More than \$6000	Ten years"

The Business and Professions Code at §§5491 and 5495 provide that a public entity must pay a sign's owner for the value of a sign if the public entity requires

the removal of a previously conforming sign within 15 years from the ordinance's passage. However B & P §5498 provides an exemption from this requirement in Redevelopment Districts. Therefore since no mandatory minimum amortization period applies, the above amortization schedule reflects the city's choice not to require the immediate removal of nonconforming signs but to require their removal relative to their value. If a business owner spent more on the sign that owner will be allowed a greater amount of time to recapture his investment.

Item 6 requests clarification of what signs need to be removed at the expiration of the applicable amortization schedule. The ordinance defines On-Premises Advertising Display as having the same definition as California Business and Professions Code §5490(b) as amended or supplanted. Only those signs that do not conform with the City's ordinance are required to be removed or made to conform with the ordinance.

Item 7 asks why that section is limited to Redevelopment Areas and how those outside the Redevelopment area will be addressed. The section is meant to apply to Redevelopment Areas for two reasons: 1) Most of the City is within a Redevelopment area and all of the business district is within it; 2) The regulation of signs within a Redevelopment Area is exempt from the payment of compensation for the taking caused by the regulation; 3) The purpose of a Redevelopment Area is to upgrade the area and eliminate blight. As to those signs that need to be abated, the city will follow the provisions of B & P §§5499.1 - 5499.16, which regulates the manner of sign abatement.

Item 8 asked for an explanation of the revocation and sunset clause of the existing ordinance. Since the city is not requiring all signs to be immediately removed or made conforming if the sign was legal, if the new ordinance was adopted and the old ordinance immediately revoked, the city would be left with a void in regulation of those then legal nonconforming signs. Therefore, creation of "legal nonconforming signs" will be regulated by the old ordinance (which does things like requires their removal if they are abandoned for a period of thirty days) until they are replaced by signs that conform with the new ordinance.

If you have any further questions please do not hesitate to contact me.

Kind regards,

dohn r. henion

dohn r. henion
City Attorney

EXHIBIT NO. 5
APPLICATION NO. Cres City LCP #1-97
City ordinance and resolution of LCP amendment submittal

CITY OF CRESCENT CITY

**CITY COUNCIL
ORDINANCE NO. 672**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY
REVISING TITLE 17 OF THE CRESCENT CITY MUNICIPAL CODE
PERTAINING TO SIGN REGULATIONS**

WHEREAS, Chapter 17.81 of the Crescent City Municipal Code allows for amendment, by ordinance, of the Zoning Code and of the Local Coastal Plan Zoning Regulations; and

WHEREAS, the City Council of the City of Crescent City finds it necessary to enact an ordinance modifying the provisions of the City of Crescent City's Zoning Code; and

WHEREAS, the City Council determines that the public health, safety and general welfare warrant such an amendment to the City's Zoning Code and Local Coastal Plan; and

WHEREAS, the City Council has received a recommendation from the Planning Commission to approve an amendment to the Zoning Code and to the Local Coastal Plan revising certain sections of the City's Zoning Code pertaining to the regulation of signs in all districts in the City, including portions of the Coastal Zone; and

WHEREAS, the City Council has held the required public hearing regarding an ordinance to amend the Zoning Code and the Local Coastal Plan; and

WHEREAS, the City Council has determined that said amendment will not have a negative effect on the environment and has no potential for adverse effect on wildlife resources, and hereby approves a Negative Declaration for this project; and

WHEREAS, this ordinance is intended to be carried out in conformity with the Coastal Act and the implementing Local Coastal Plan; and

WHEREAS, the City Council hereby submits these Sign Ordinance Revisions to the California Coastal Commission for certification as a Local Coastal Plan Amendment.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRESCENT CITY, CALIFORNIA, as follows:

SECTION ONE. Classification. This ordinance is considered to be of a general and permanent nature and as such is classified as a code ordinance.

SECTION TWO. Severability Clause. Should any part of this ordinance be found to be in conflict under law, such action shall not affect the other sections adopted hereunder.

SECTION THREE. Effective Date. This ordinance shall become effective 30 days after its enactment.

SECTION FOUR. Repealer Clause. Title 17, Chapters 17.38 and 17.74 shall remain effective only for Legal Nonconforming Signs (as defined by this ordinance.) Title 17, Chapter 17.38 and Chapter 17.74 shall automatically be repealed in their entirety fifteen years from the date this ordinance becomes effective.

SECTION FIVE. Adoption Clause. The code sections attached and entitled as follows are herein enacted and made a part of the Crescent City Municipal Code: Title 17, Chapter 17.39, Sections 17.39.010 through 17.39.200, inclusive.

On a motion by Councilmember Hollinsead, seconded by Councilmember Hatfield, and unanimously carried, Ordinance No. 672 was introduced and read at a regular meeting of the City Council of the City of Crescent City held on the 20th day of November, 1995.

On a motion by Councilmember Smith and seconded by Councilmember Mayer, Ordinance No. 672 was given a second reading and adopted and passed to print at a regular meeting of the City Council of the City of Crescent City held on the 18th day of December, 1995, by the following polled vote:

AYES: Smith, Mayer, Hollinsead
NOES: None
ABSTAIN: Burlake
ABSENT: Hatfield

/s/ Kenneth Hollinsead
KENNETH HOLLINSEAD, MAYOR

ATTEST:

/s/ Kathleen A. Smith
Kathleen A. Smith, City Clerk

APPROVED AS TO FORM:

/s/ dohn r. henion
dohn r. henion, City Attorney

CERTIFICATION

The foregoing instrument is a correct copy of the original on file in the office of the City Clerk, Crescent City, CA.

ATTEST: *K.A. Smith*
Kathleen A. Smith
City Clerk

Dated: 03/20/97

CHAPTER 17.39

SIGNS

17.39.010	PURPOSE
17.39.020	APPLICABILITY
17.39.030	DEFINITIONS
17.39.040	TYPES-GENERALLY
17.39.050	SPECIAL PROVISIONS
17.39.060	SIGN PERMITS
17.39.070	TEMPORARY PERMIT REQUIRED
17.39.080	PROHIBITED SIGNS
17.39.090	VARIANCES
17.39.100	APPEALS
17.39.110	RESIDENTIAL ZONES
17.39.120	RESIDENTIAL-PROFESSIONAL ZONES (RP AND CZ-RP)
17.39.130	LIMITED COMMERCIAL (C1) AND COMMERCIAL-WATERFRONT (CW) ZONES
17.39.140	GENERAL COMMERCIAL (C2), COASTAL ZONE - GENERAL COMMERCIAL (CZ-C2), HIGHWAY SERVICES (HS), COASTAL ZONE - HIGHWAY SERVICES (CZ-HS), COASTAL ZONE - HARBOR RELATED (CZ-HR) AND COMMERCIAL-MANUFACTURING (CM) ZONES
17.39.150	ILLUMINATION
17.39.160	COMMUNITY PROMOTION SIGNS
17.39.170	EXEMPT SIGNS
17.39.180	HISTORICAL SIGNS
17.39.190	ENFORCEMENT
17.39.200	MATRIX OF REGULATIONS

FILED
FEB 15 1996
CITY CLERK
CITY OF CRESCENT CITY

EXHIBIT NO.	6
APPLICATION NO.	Cres City LCP #1-97
proposed sign ordinance	

17.39.010 Purpose

1. The surroundings of the City of Crescent City are possessed of natural beauty having both giant redwoods and the Pacific Ocean at the disposal of its citizens. The city's economy is dependent on a vigorous local business economy, spawned in part by tourism and its residential environment. The purpose of this chapter is to regulate signs in the City. Signs have an obvious impact on the character, quality and economic health of the City of Crescent City. As a prominent part of the scenery, signs may attract the viewing public, affect the safety of vehicular and pedestrian traffic, and help set the tone of the community.

2. It is the intent of the City that this chapter to emphasize the importance of business activity to the economic vitality of the City, help improve the ability of business owners and operators to identify their businesses to the community to enhance the furtherance of commerce, foster varied and interesting places of trade and promote public safety by making business signing visible to the passing public. This chapter is further intended to encourage the use of signs that:

A. Protect and enhance the architectural character, harmony and natural beauty of the community, its buildings and its various neighborhoods and districts;

B. Protect commercial districts from sign clutter;

C. Protect the public's ability to identify users and premises without confusion;

D. Eliminate unnecessary distractions which may jeopardize pedestrian or vehicular traffic safety;

E. Are as small in size and few in number as is consistent with their purpose of communicating identification and essential information;

F. Protect the right of the public to be directed, warned, advised and informed;

G. Possess a satisfactory aesthetic effect and pleasing elements of design that relates to the form, proportion, material, surface treatment and position;

H. Assure the maintenance of signs; and

I. Implement the community design objectives expressed in the General Plan.

J. Prohibit political signs on public utility or street sign poles because it is necessary to prevent visual distractions to motorists that create traffic hazards, prevent the obstruction of road hazards and road signs, and to prevent eyesores from proliferating along public streets.

K. Regulate the size of political signs because it is necessary for safety and aesthetic reasons, specifically that the strong winds common in the City would remove the signs, creating hazards and accumulation of debris, and extremely large or illuminated signs would create a distraction to motorists.

The following general sign usage provisions and regulations shall apply. The additional sign usage authorized hereunder shall be strictly construed in its application.

17.39.020 Applicability

1. This ordinance shall apply to On-Premises Advertising Displays which meets any of the following criteria:

(A) On-Premises Advertising Displays placed or constructed on or after the effective date of this ordinance.

(B) Any On-Premises Advertising Displays placed or constructed on or before the effective date of this ordinance that was not in compliance with all ordinances and regulations in effect at the time of its construction and erection or use.

(C) Any On-Premises Advertising Displays which was lawfully erected, but whose use has ceased, or the structure upon which the display has been abandoned by its owner, for a period of not less than 90 days.

(D) Any On-Premises Advertising Displays which has been more than 50% destroyed, and the destruction is other than facial copy replacement, and the display cannot be repaired within 30 days of the date of its destruction.

(E) Any On-Premises Advertising Displays whose owner, outside of a change of copy, requests permission to remodel and remodels that advertising display, or expand or enlarge the building or land use upon which the advertising display is located, and the display is affected by the construction, enlargement, or remodeling, or the cost of construction, enlargement or remodeling of the advertising display exceeds 50 percent of the cost of reconstruction of the building.

(F) Any On-Premises Advertising Displays for which there has been an agreement between the sign permit holder and the City of Crescent City for its removal as of any given date.

(G) Any On-Premises Advertising Display which is a Temporary Sign..

(H) Any On-Premises Advertising Display which is or may become a danger to the public or is unsafe.

(I) Any On-Premises Advertising Display which constitutes a traffic hazard not created by relocation of streets or highways or by acts of any city or county.

(J) Except where the provisions of this ordinance provide for earlier sign removal, On-Premises Advertising Displays located in redevelopment project areas created pursuant to Community Redevelopment Law of Division 24 of the California Health and Safety Code, shall be removed or made to conform within sixty (60) days after written notice by the Community Development Department, in accordance with the following schedule:

<u>Original Value of Sign</u>	<u>Amortization Period</u>
Less than \$500	One year
\$500 to \$999	Two years
\$1000 to \$2999	Four years
\$3000 to \$5999	Eight years
More than \$6000	Ten years

The permit holder of a redevelopment area sign shall, upon written request of the Community Development Department, furnish acceptable proof of the initial cost in the form of; (a) an original bill of sale; or (b) a depreciation schedule from state or federal income tax returns; or (c) a written appraisal by a sign manufacturer.

(K) Advertising displays located in areas listed or eligible for listing on the National Register of Historic Places.

(L) Advertising displays located in areas registered by the California Department of Parks and Recreation as a state landmark of historical interest pursuant to Section 5021 of the California Public Resources Code.

(M) Advertising displays located in areas created as historic zones or individually registered properties by the City of Crescent City pursuant to Article 12 of Chapter 1 of Division 1 of Title 5 of the California Government Code.

2. Legal Nonconforming Signs shall be removed or made to conform with the provisions of this ordinance within sixty (60) days after written notice by the Community Development Department, when;

a. the use of the premises changes and the exterior of the building or other site conditions are to be altered; or

b. a sign is damaged or destroyed by any cause, to the extent that the cost of repairing or replacing it would be more than fifty percent (50%) of its value immediately prior to the damage; or

- c. in accordance with the provisions for abatement outlined in 17.39.190.

Except as otherwise provided in this chapter, nonconforming on-premise signs shall be made to conform to the provisions of this chapter upon the change of a name of any business, the relocation of any business, or an application for a sign for any business.

General Provisions. A legal nonconforming sign may not be;

- a. changed to another nonconforming sign; or
- b. structurally altered to extend its useful life; or
- c. expanded, moved or relocated; or
- d. re-established after damage or destruction of more than fifty percent (50%) of the dollar value of the sign as determined by the Community Development Director.

Ordinary repair and maintenance may be made to a Legal Nonconforming Sign provided that such maintenance and repair does not exceed twenty-five percent (25%) of the actual dollar value of the sign in any one year.

Exceptions to the provisions of this Section may be granted, in the form of a variance, by the Planning Commission upon the application of any owner of a sign who presents substantial evidence showing the following:

- A. There are exceptional circumstances applicable to the property on which the nonconforming sign is located, including size, shape, topography, location or surroundings which make it practically impossible to identify effectively the property to the public if strict application of all the provisions of these regulations are required; or
- B. The sign possess unique features which make it a significant part of the community character of the area in which it is located.

17.39.030 Definitions

Abandoned Sign means any sign or advertising display remaining in place or not maintained for a period of ninety (90) days which no longer advertises or identifies an ongoing business, product or service available on the business premises where the sign or display is located.

Advertising Display is a Sign.

A-frame is a Sandwich Board Sign.

Architecturally-controlled Signs means any sign that is submitted as part of, or related to, the design of a building, or group of buildings, constructed for commercial purposes, and that has gone through an approved process of design review.

Awning/Canopy Sign means any sign that is a part of or attached to an awning, canopy or other fabric, plastic, or non-permanent structural protective cover over the doorway, window, patio or other part of the exterior of a building. A marquee is not an awning or a canopy.

Balloon means a nonporous bag containing a gas lighter that air causing it to rise and float above the ground.

Banner means a sign made of flexible materials such as cloth, canvas, plastic or cardboard.

Beacon means a rapidly rotating fixed light giving the appearance of a flashing light.

Bed and Breakfast Establishment means a residential dwelling occupied by a resident person or family, containing individual living quarters occupied on a transient basis for compensation, and in which a breakfast may be provided to the guests.

Billboard means a sign structure which is made available for lease or rent for the purpose of off-site advertising.

Changeable Copy Sign means a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face of the sign.

Community Event means an occasion or activity sponsored by either a governmental or quasi-governmental agency (such as the Harbor District, City of Crescent City, Del Norte County, the Crescent City Business and Parking Improvement District, or Chamber of Commerce) or by a not-for-profit organization (such as a church or a civic organization), the purpose of which is to benefit the community as a whole, either by raising funds through a specific event to address a specific issue (such as the United Way Ball), by publicizing the area to visitors (such as street fairs) or for the purpose of a community-wide celebration (such as the 4th of July).

Construction Signs means a temporary sign erected on the premises on which construction is taking place identifying the names of the persons or companies involved in the project.

Curbline means the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curblin shall be established by the public works director.

Directional Sign means an accessory sign designed to guide or direct pedestrian or vehicular traffic.

Display Surface means the area made available by the sign structure, including the background area, for the purpose of displaying an advertising message.

Double-faced Sign means a sign with two faces only, with each face oriented one hundred eighty degrees from the other. Such sign may be a pole, projecting, hanging or roof sign.

Enforcement Officer means the public employee or officer designated by the legislative body of the city to perform the duties imposed by these regulations.

Flags means a usually rectangular piece of fabric of distinctive design that is used as a symbol or as an attracting or signaling device. Corporate flags contain the name or logo of an incorporated business or organization. Governmental flags are duly recognized symbols of a city, state or nation.

Flashing means sudden bursts of light. In certain uses it appears to simulate movement.

Free-standing Sign means a sign not attached to any building and having its own support structure, such as a pole or a monument-style base.

Frontage means the distance in feet of a lot measured along a street right-of-way.

General Advertising Sign is a sign which directs attention to a business, commodity, industry or other activity which is sold, offered or conducted elsewhere than on the premises upon which such sign is located, or to which it is affixed, and which is sold, offered or conducted on such premises only incidentally if at all.

Grand Opening means the first thirty (30) business days of a new business.

Ground Sign is a Monument Sign.

Hanging Sign means a sign that is suspended from the underside of a horizontal plane surface, such as a marquee, awning or canopy, or from a bracket, and which is supported by that surface or bracket.

Holiday Decorations means wording, symbols or pictures of a non-commercial nature which may be erected or displayed in reference to a specific seasonal, political or religious holiday. Sale announcements are not holiday decorations.

Horizontal Sign means a projecting sign having its greatest dimension in a horizontal direction.

Identification means a sign giving the name, nature, logo, trademark or other identifying symbol of an establishment.

Institutional Use means a non-profit, public or quasi-public use or institution such as a church, library, public or private school, hospital, or municipally-owned or operated building, structure or land used for a public purpose.

Legal Nonconforming Signs means On-Premise Advertising Displays which do not conform to the provisions of this ordinance but which lawfully existed and were maintained prior to the effective date of this ordinance.

Luminescence means an emission of light produced by electrical action.

Mansard Roof means a roof having two slopes on each side, with the lower slope steeper than the upper one.

Marquee means any permanent roofed structure made of a non-flexible material, which is attached to and supported by a building, and which projects over public property.

Monument/Ground Sign means any sign other than a pole sign, placed upon or supported by the ground independent of any other structure.

Mural means a decorative scene or graphic design painted on and made an integral part of a wall surface, and making no reference to a specific business or brand of product offered for sale on the premises.

Nameplate means a small sign stating only the name and/or address of the occupant(s), and his or her profession or specialty. However, in the case of bed and breakfast establishments, only, nameplate additionally means a sign displaying the name of the establishment.

On-Premises Advertising Display has the same definition as California Business and Professions Code §5490(b) as amended or supplanted.

Paper Signs tacked or otherwise fastened to a side of a building or bulletin board, or outside of a window are temporary signs unless enclosed in a frame with a glass, Plexiglas or equivalent cover.

Parapet means the extension of the main walls of a building above the roof level, such as a false front. Parapet walls are often used to shield mechanical equipment or vents from view.

Pennant means a flag which tapers to one or two points. "Pennants" also refer to strings of small flags or strips which can be hung either attached to a building or across an open parking area.

Placard means an non-permanent announcement or sign in the form of a small card, such as a poster or plaque.

Pole Sign means a free-standing sign that is wholly supported by one or more posts or poles, free of braces or cables, either in the ground or in a concrete base.

Portable Sign means a sign that is not permanently attached to the ground or to a structure.

Projecting Sign means a sign other than a wall sign or awning sign which projects out from and is supported by a wall of a building or structure.

Projection means the distance by which a sign extends over or beyond the edge of a building.

Public Right-of-Way (RoW) means a public street, sidewalk or access way.

Real Estate Sign means a sign of any size advertising real property for sale or lease, including "open house" signs.

Revolving Sign means a sign whose face(s) turn round on an axis, usually a pole of any height.

Right-of-Way (RoW) is a public right-of-way.

Roof Height means the vertical distance measured from the average grade level of the building (the ground) to the highest point of the roof, ridge or parapet wall.

Roof Sign means a sign erected upon or above a roof or parapet of a building or structure.

Sandwich Board Sign means a portable sign consisting of two hinged boards designed to stand alone for display, and which may be folded and moved from place to place. Also known as an "A-frame".

Setback means the minimum horizontal distance from the building to the property line as prescribed by the zoning ordinance.

Sign means any writing, pictorial representation, symbol, banner, or other figure of similar character of any material that is used to identify, announce, direct attention to, communicate, inform or advertise.

Sign Area means the area in square feet of the smallest rectangle enclosing the total exterior surface of a sign, or of one face of a double-faced sign.

Sign Height means the vertical distance from the average grade at the base of the sign structure to the uppermost point of the sign.

Sign Structure means any structure that supports, or is capable of supporting any sign as defined in this ordinance. A sign structure may be a single pole, several poles, frame structure, or solid base, or may be an integral part of a building.

Spinners means any advertising or attention-getting device which includes a part or parts which turn, gyrate or revolve rapidly.

Streamers means any long wavy strip, either free floating or attached at both ends, as along side a building or over a parking lot or other open area.

Structure means that which is built or constructed. An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined in some definite manner; but not including fences, or walls used as fences that are three (3) feet in height or less.

Suspended Sign means a Hanging Sign.

Temporary Sign means any sign or advertising display constructed of fabric, canvas, paper, plywood or other such light material, not permanently erected, and constructed, created, intended, or engineered to have a useful life of less than 15 years. Temporary signs may include, but are not limited to Vehicle and Trailer Signs, banners, balloons, sandwich boards, and Paper Signs.

Time and Temperature Device means any device which displays the current time and temperature, usually in the form of a clock and thermometer or an electronic digital display unit. Often such devices include the name or logo of the business upon whose premises the device is located.

Trailer Sign means any sign mounted on a trailer or cart so as to be movable by being pulled about.

Twirler is a Spinner.

Vehicle Sign means any sign which is painted or mounted on an operating or non-operating vehicle, which is parked on or adjacent to any property, the principal purpose of which is to attract attention to any business, service, product or an activity, or to convey a message for which other avenues of expression are readily available. For the purpose of this ordinance, vehicle sign regulations shall not apply to business vehicles on which the business name or logo is painted or attached, and which are driven in the normal course of business activity.

Vertical Sign means a projecting sign having its greatest dimension in a vertical direction.

Wall Sign means a single-faced sign painted on or attached parallel to a building or wall.

Window Sign means a sign maintained in or painted upon a window so that it's message can be seen from the exterior of the structure. Window signs do not include holiday decorations.

17.39.040 Types - Generally

The types of signs set forth in Sections 17.39.040 will be permitted for the various uses allowed in Section 17.39.110 through 17.39.140 and must be limited to the restrictions set forth in Section 17.39.020, in addition to these required in Chapters 17.39.050 through 17.39.080. Additional special use signs are also listed in this part.

1. Signs having Double Faces

Pole Signs, Revolving Signs and Projecting Signs may have double faces. Where such signs and marquees have double faces, and are included in the total sign area, the area of only one face need be included in the total area allowed. Where the two faces are of different areas, the larger of the two must be counted as part of the total sign area.

2. Projecting Signs

Projecting signs identifying a business located on the premises shall be located no less than nine (9) feet above the sidewalk; may not project above the roofline of a wall or building, and shall project into public property no more than thirty-six (36) inches from the side of the building. The area of such sign shall be included in the total allowable aggregate sign area as provided above.

3. Wall Signs

A. Flat wall sign(s) identifying each business conducted on the premises may be painted on the surface of the building or attached to the face of the building, no point of which shall project over eighteen (18) inches from the face of the building. Wall signs shall not occupy more than fifty percent (50%) of the building surface envelope excluding window areas, and shall not project above the top of the wall or above the roofline of the building to which they are attached. The area of such sign shall be included in the total allowable aggregate sign area as provided above.

B. On buildings which are two or more stories in height, but which are occupied above the first floor by other than the ground floor business, the first floor envelope shall extend to the bottom of the second floor window line. The second floor envelope shall extend from the bottom of the second floor window line to the bottom of the above floor window line, or to a line one and one-half (1 1/2) feet below the roofline or top of the wall.

4. Marquee Signs

A. For purposes of computing sign area, signs on the face of a marquee which is parallel to the front wall of a building shall be considered as part of the flat wall sign envelope, and signs on other faces of the marquee shall be considered as a double-faced projecting sign.

B. Single-faced or double faced signs placed under marquees or canopies shall be limited to a maximum size of eighteen (18) inches high and sixty (60) inches long, and shall be not less than nine (9) feet from the sidewalk to the bottom of the sign. Only one side of these signs shall be used in computing total aggregate sign area.

5. Pole or Freestanding Signs

Provisions for pole or freestanding signs shall be as follows:

A. Minimum height in a vehicular area - fourteen (14) feet to the bottom of the sign;

B. Minimum height over a public pedestrian area - ten (10) feet to the bottom of the sign.

C. Maximum height - thirty (30) feet to the top of the sign absent a Variance.

D. Minimum setback from the right-of-way line - one-half (1/2) the distance from the road right-of-way line to the legal setback line.

E. Only one pole sign shall be permitted per parcel where allowed.

F. The minimum ground area of two feet around the perimeter of the base of all freestanding signs shall be landscaped. The Community Development Director may exempt certain freestanding signs from this requirement where it is demonstrated by the applicant that the landscaping would unduly interfere with pedestrian or vehicular traffic, or where this requirement would be impossible to meet without compromising the stability of the sign structure.

6. Monument or Ground Signs

Monument or ground signs shall not exceed five (5) or ten (10) feet in height, depending upon the regulations for the zone in which the sign is being placed, unless a Variance for an higher sign has first been approved by the Planning Commission. Such signs shall not impede vehicle sight distance.

7. Canopy or Awning Signs

Signage shall only be permitted on the valance of the canopy or awning, or as hanging signs suspended below the canopy. Hanging signs suspended below canopies shall not exceed eighteen (18) inches in height or sixty (60) inches in length, and shall be hung at a height not less than nine (9) feet measured from the sidewalk to the bottom of the sign. Sign area shall be computed using only one face of the hanging sign.

8. Architecturally-controlled Signs

Architecturally-controlled Signs for a special development of an unusual nature or size may be reviewed and approved if acceptable by the Planning Commission for their conformance with the intent of this part, with the goals of the General Plan, and for their appropriateness to the type of development to which they are related. The determination that such a review is desired may be made by the Community Development Director.

17.39.050 Special Provisions

The following provisions shall apply to all signs generally permitted by this title:

- A. A sign permit must be issued before the display of any signs other than exempt signs.
- B. The use of any sign that is obnoxious in character or location or which is architecturally undesirable in the judgment of the Community Development Director can be denied even though such sign complies with all other provisions of the title. The decision of the Community Development Director is appealable to the Planning Commission. A fee may be charged to cover the cost of bringing the appeal before the Planning Commission.
- C. Materials used in the construction of signs and sign structures and the construction thereof shall comply with the Underwriters Laboratory and the latest adopted edition of the Uniform Sign Code, Uniform Building Code, National Electric Code, and other applicable laws and ordinances.
- D. Once constructed, the front and back of all signs and sign structures shall be fully painted and shall be maintained in a safe condition and neat appearance.
- E. Signs that tend to attract motorists to a roadway-oriented business shall not be lighted except during hours that the merchandise or services are available.
- F. Sign structures not used for signage purposes for more than twelve (12) months shall be considered a nuisance and shall be removed.

17.39.060 Sign Permits

1. Terms

Sign permits may be revocable, conditional, or valid for a term period, and may be issued only for the construction and display of signs as outlined in these provisions.

2. Permits Required

A sign shall not hereafter be erected, re-erected, constructed, altered or maintained, except as provided by this code and only then after a permit for the same has been issued by the Community Development Department. A separate permit shall be required for a sign or signs for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electrical signs. Each application for a sign permit shall be reviewed by the City Building Inspector who is hereby authorized to determine if a building permit shall additionally be required as a condition to the issuance of a sign permit. A building permit shall be required when the proposed sign's erection, re-erection, construction, alteration or maintenance may potentially adversely affect the public's health, safety or welfare. Sign permits may be issued to any person with a possessory or estatehold interest in the real property where the sign is sought to be placed or to a Contractor licensed by the Department of Consumer Affairs and employed by such person to perform the sign's erection, re-erection, construction, alteration or maintenance.

3. Application for Permit

Application for a sign permit shall be made in writing upon forms furnished by the Community Development Department. Such application shall contain the location by street and number of the proposed sign structure, as well as the name and address of the applicant and properly identify the applicant's interest in the interest in the real property where the sign is sought to be placed or as an Contractor licensed by the Department of Consumer Affairs employed to perform the sign's erection, re-erection, construction, alteration or maintenance. The application must be accompanied by plans and specifications for all signs to be constructed. Such plans and specifications shall specify:

- A. The materials of which the sign and its structure shall be constructed; and
- B. The sign's location on the property; and
- C. The type of construction to be used in the sign; and
- D. The message and pictorial representations which will appear on the sign(s); and
- E. The dimensions of its size; and
- F. Any other existing signage or display already on the property.

Standard plans may be filed with the Community Development Department.

The application will be reviewed by the City's Building and Community Development departments, and must be approved by each prior to the issuance of any sign permit. The

applicant shall submit any additional information required by the City's Building and Community Development departments.

4. Fees

The sign permit application shall be accompanied by fees as established by resolution of the City Council. In addition, signs subject to building and electrical permits shall subject to the fees required for the issuance of those permits.

5. Public Hearing

The Planning Commission may hold public hearings to discuss sign permit applications whenever it determines that such a hearing is in the public interest. The Planning Commission may, through the public hearing process, designate such conditions as it deems necessary to ensure compliance with the purposes of this ordinance, and may require a guarantee or bond to be posted to that effect.

6. Issuance

Within thirty (30) days of receiving a complete application for a permit which is not contingent upon any action by the Planning Commission or on the issuance of any other permits, the application shall, in writing, be approved, conditionally approved or denied. Conditions imposed may only be such as will assure compliance with the provisions of these regulations.

7. Inspections

All signs for which a building permit is required shall be subject to inspection as required by the building official. All signs may be reinspected at the discretion of the building official.

8. Revocation

In any case where the conditions set forth in the approval of a sign permit have not been met, the permittee shall be noticed by certified mail, sent to the address shown on the sign permit application at least ten (10) days prior to a hearing at which the status of the conditions are to be discussed. At the conclusion of the hearing, the Planning Commission may revoke the permit.

In any case where an approved sign permit has not been used within six (6) months after the date of approval, then, without further action by the City Council or Planning Commission, the sign permit granted shall become null and void.

17.39.070 Temporary Permit Required

The following types of signs and advertising devices are permitted with the issuance of a temporary permit from the Community Development Department. The permit may impose conditions on the size, placement, structure, color, copy, conditions of removal or any other aspect of the display at the discretion of the Community Development Director.

Balloons may also be subject to approval by the Building Inspector, at his or her recommendation. A fee may be charged by the Building Department if an inspection of the balloon attachment is required.

Any one commercial establishment may obtain a temporary sign permit under these regulations no more than three (3) times in one calendar year.

1. Grand Opening Signs, Banners or Balloons

Pennants, signs, banners and/or balloons for the promotion of the grand opening of a new business for a period of not more than the first thirty (30) business days of a new business. A Use Permit must be granted by the Planning Commission in order to display such devices for any longer than thirty (30) days.

2. Promotional Signs, Banners or Balloons

Signs, banners, balloons, pennants or other advertising devices for the promotion of special sales or other business events lasting for a period of up to five (5) days not more than three (3) times in one (1) calendar year.

17.39.080 Prohibited Signs

In addition to any sign or advertising display device not specifically allowed by these provisions, the following signs are prohibited.

1. Signs having one or a combination of the following characteristics:

A. Obscene or offensive to morals. Containing statements, words or pictures of an obscene, indecent or immoral character which, taken as a whole, appeal to the prurient interest in sex, and which signs are patently offensive and, when taken as a whole, do not have serious literary, artistic, political or scientific value;

B. Imitative of official signs. Signs (other than when used for traffic direction) which contain the words stop, go, slow, caution, danger, warning or similar words, or signs which imitate or may be construed as other public notices, such as zoning violations, building permits, business licenses and the like.

2. Moving signs having one or a combination of the following characteristics:

A. Flashing lights or changing of color intensity.

B. Wind-blown devices such as streamers, balloons, flares, pennants, propellers and similar attention-getting display or device with the exception of the following:

1. National, state and/or local government flags properly displayed and maintained upon a permanently mounted flagpole or bracket.

2. One corporate or logo flag of a size not to exceed any governmental flag displayed upon the same premises.

3. Twirlers or spinners, provided a Use Permit has first been obtained from the Planning Commission.

4. Holiday decorations, in season, displayed for an aggregate period not exceeding sixty (60) days in any one (1) calendar year, except no advertising of the business or products shall be permitted.

E. Where there is any production of smoke, sound or other substances.

3. Portable or temporary signs, including Sandwich Boards, except as permitted only for grand openings or special promotions.

4. Obstructive to use or visibility, hazardous locations. No sign shall be erected in any manner which, in whole or in part, would create a hazardous condition to pedestrians or traffic alike, either by creating visual distraction, being color, sounds or glare, or by representing a traffic control device; and

5. Signs in one or more of the following locations:

A. Within public places. Within any public street, sidewalk, public parking lot, or right-of-way, unless they shall maintain a minimum clearance of fourteen (14) feet above the adjoining grade level and after acquiring an encroachment permit from the Department of Public Works, except marquee signs as defined by this chapter, unless specifically provided for in this chapter.

Furthermore, no person except a duly authorized public officer or employee shall erect, construct, maintain, paste, print, nail, tack or otherwise fasten or affix any card, banner, flag, pennant, handbill, campaign sign, poster, sign, advertisement, or notice of any kind, or cause or suffer the same to be done, on any curbstone, lamppost, driveway, roadway, parkway, sidewalk, street, light standard, fire hydrant, bench, electrical light pole, power pole, telephone pole, traffic signal, bridge, wall, tree, parking meter, or on any other public property, except as may be

required or permitted by ordinance or law; provided, that this provision shall not prohibit the placement, use and maintenance of warning signs designating street construction or repair and/or the location of underground utility lines.

Any flags, pennants, sign, handbill, campaign sign, poster or notice of any kind that is placed upon a public street or public property in violation of this subsection is hereby declared to be a public nuisance and may be summarily abated in addition to other remedies provided by this code.

B. Roof signs, except mansard roof signs.

C. Projecting. Signs projecting more than thirty-six (36) inches from the face of a building shall not be allowed except for awning or canopy signs.

D. Signs on vehicles. No vehicle may be used as a platform or substitute for a billboard, freestanding sign or movable sign, whether parked on private property or the public right-of-way. The parking of any such vehicle on any street or on public or private property, or the movement of any such vehicle in and/or along any street for the sole or primary purpose of displaying advertising matter is declared to be a nuisance and a violation of this Section. The following exceptions are permissible under these regulations:

1. The driving, operation and movement of vehicles displaying political campaign advertisements for candidates for public office or for ballot measures, provided the same is not otherwise prohibited by this Section.
2. The identification of a business enterprise upon a vehicle used primarily for the purpose of and in the usual business of the owner for transporting or servicing goods or persons for commercial or other business purposes, provided that the identification is painted on or otherwise affixed so as not to project from the usual profile of the vehicle.
3. The incidental display of non-commercial stickers, plates, license plate brackets and the like; or of customary small identifications on license plate brackets or elsewhere, of vehicle manufacturers, models or types of vehicles, or dealers or entities from whom vehicles bearing the same were purchased or otherwise obtained.
4. A single isolated movement of a sign or sign equipment or materials from one place to another within the city.
5. Vehicles located on construction sites that are directly involved with ongoing construction.

E. Miscellaneous temporary signs and posters. The tacking, posting or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns, or sheds, on trees, poles, posts, fences, or other structures shall be prohibited, unless specifically permitted by this chapter.

6. Abandoned Signs

In addition to the other requirements imposed by this chapter, signs advertising an activity, business, product or service no longer conducted on the premises on which the sign is located, or sign frames, structural members or supporting poles remaining unused for twelve (12) months or longer, shall be removed from the site. Signs will be considered abandoned or dilapidated where the sign or any element of it is excessively weathered or structurally unsound or where the copy can no longer be seen or understood by a person with normal eyesight under normal viewing conditions.

This provision may be waived for set periods of time at the discretion of the Community Development Director.

7. General Advertising Signs

17.39.090 Variances

1. Generally

When practical difficulties, unnecessary hardships or results inconsistent with the general intent and stated purpose of this ordinance occur by reason of the strict application of the standards set forth in these regulations, a sign variance may be requested.

2. Application

A request for a sign variance shall be made by submitting a completed permit application form and appropriate filing fee to the Community Development Department, along with all supporting documentation pertinent to the situation, such as maps, photographs or sketches.

The request for variance shall be set for public hearing on the earliest available meeting date of the Planning Commission. The appellant shall be notified in writing of the meeting date. Notice of the hearing shall be published in a newspaper of general local circulation at least ten (10) days prior to the hearing. The hearing may be continued from time to time.

3. Required Findings

The Planning Commission must make the following findings in order to approve a sign variance:

A. The strict application of the standards contained in this sign ordinance deprives the appellant's property of privileges enjoyed by other property owners in the same vicinity and under identical use classification due to special circumstances applicable to the property including size, shape, topography, location or surroundings; and

B. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity with the same use classifications as the subject property.

4. Variance Allowed

The Planning Commission may, upon approval of a variance sign permit, allow:

A. An increase in allowed height; and/or

B. An increase in size of not more than fifty percent (50%); and/or

C. A reduction in the required setbacks.

Variations may not be granted to allow signs to meet the same standards as legal non-conforming signs in the same vicinity or use classification, and/or which may be competing for the same business patrons.

17.39.100 Appeals

1. Appeals

Any person aggrieved by an action of the Planning Commission, or by city staff, may make an appeal of that decision. Appeals of decisions made by the Planning Department staff shall be submitted to the Planning Commission. Appeals of decisions made by the Planning Commission shall be submitted to the City Clerk for review by the City Council. Decisions of the City Council are final, with the exception of Coastal Zone Appealable Areas. Decisions of approval for sign development(s) within the Coastal Zone Appealable Area may be appealed to the California Coastal Commission. Decisions of denial for development within such zones are final.

2. Application for Appeal

Application for appeal is made by filing a written request for appeal, along with any required appeal filing fee, within ten (10) days of the action. The request must specify:

- A. The person making the appeal, and their place of residence; and
- B. The location of the proposed sign(s); and
- C. The specific items of appeal and all supporting documentation; and
- D. The basis for the appeal, and any information substantiating that basis (for example, failure to comply with the City's general plan or with state or local laws, or reasons why the action would adversely affect surrounding property, the neighborhood or the City); and
- E. The relief of action sought.

3. Appeal Process

1. Who may appeal.

In case the applicant or any other person is not satisfied with any decision to approve or deny a sign permit, they may appeal such decision as provided below.

2. Appeal letter requirements.

The appeal letter shall specify:

- (a) The person making the appeal;
- (b) The specific items of appeal and all supporting documentation;
- (c) The basis for such appeal and information substantiating the basis for appeal (e.g. failure to comply with the City's general plan, state or local laws or stating reasons why the action of the Planning Director or the Planning Commission would adversely affect surrounding property, the neighborhood, and/or the City;

- (d) The relief of action sought.

3. Where and How to Appeal.

Decisions of the Planning Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council. Any appeal must be submitted in writing within ten (10) calendar days of the decision and shall be accompanied by an appeal filing fee. Appeals of decisions of the Planning Director shall be submitted to the Planning Commission. Appeals of decisions of the Planning Commission shall be submitted to the City Clerk. The appeal shall be agendaized for consideration on the earliest available meeting date as determined by the City, but no later than thirty (30) days from receipt of the appeal and filing fee. The appellant shall be

notified in writing of the meeting date. In an appeal, the burden of proof is upon the appellant.

The appropriate reviewing authority shall consider the appeal and the record upon which the action appealed from was taken, and may, at its own discretion, cause the matter to be set for a public hearing.

If the appropriate reviewing authority causes the matter to be set for a public hearing, notice of the hearing shall be given by publication in a newspaper of general circulation, printed and published in the city, at least ten days before the hearing. The hearing may be continued from time to time.

Within thirty (30) days of the filing of the notice of appeal, the appropriate reviewing authority shall render its decision on the matter. Failure of the appropriate reviewing authority to render its decision on the matter within thirty (30) days of the filing of the notice of appeal shall be deemed to be denial of the appeal and an affirmation of the action of the planning commission. The decision of the city council upon appeal is final and conclusive as to all things involved in the matter

17.39.110 Residential Zones

The following signs are permitted in the city's residentially-zoned districts (R1, R2, R3, CZ-R1, CZ-R1B, CZ-R2):

A. Institutional uses such as churches, schools, libraries, hospitals, community centers, and/or public agency buildings such as fire or police stations may have wall, ground or monument signs with an area not to exceed one-half (1/2) square foot of sign area for each linear foot of street frontage.

For parcels with multiple street frontages the allowable sign area shall be one-half (1/2) square foot for each linear foot of the longest street frontage plus one-quarter (1/4) square foot for each additional linear foot of frontage.

A sign permit shall be required for these uses, unless the entity or agency is categorically exempt.

B. Apartment complexes with four (4) or more units may have one (1) monument sign per street frontage not to exceed twenty-four (24) square feet of area and five (5) feet in height. A sign permit shall be required.

C. Approved and licensed home occupations, including day care homes, shall be allowed one (1) nameplate not to exceed two (2) square feet in size, stating the occupant's name, address and/or profession. A sign permit shall not be required for the nameplate.

D. Bed and Breakfast Establishments

1. Bed and breakfast establishments within residential zones may be permitted one (1) sign per establishment. The sign may be one of the following:

A. One sign not to exceed twenty (20) square feet in size. The sign may be a wall sign, hanging sign, or ground or monument sign not to exceed five (5) feet in height. The sign shall be constructed of non-plastic materials, and only low level lighting exterior illumination to light the sign shall be permitted. The sign must have approval of the Community Development Department, and a sign permit shall be required.

B. One (1) nameplate sign, made of non-plastic materials, not to exceed two (2) square feet in size. The nameplate may bear the proprietor's name, address, and/or the name of the establishment. A sign permit shall not be required for the nameplate.

E. Exempt signs (no permit required).

17.39.120 Residential-Professional Zones (RP and CZ-RP)

1. Sign Types Permitted

The following signs are permitted for licensed businesses in the city's residential-professionally zoned districts (RP and CZ-RP):

A. Wall Signs.

B. Canopy Signs.

C. Monument or ground signs not to exceed five (5) feet in height, and not to impede vehicle sight distance.

D. Institutional uses such as churches, schools, libraries, hospitals, community centers, and/or public agency buildings such as fire or police stations may have a wall, ground or monument sign. A sign permit is required for these uses.

E. Exempt Signs. No permit required.

2. Allowable Sign Area

A. The allowable sign area for non-residential uses in the Residential-Professional districts is not to exceed one-half (1/2) square foot of sign area for each linear foot of street frontage.

B. For parcels with multiple street frontages the allowable sign area shall be one-half (1/2) square foot for each linear foot of the longest street frontage plus one-quarter (1/4) square foot for each additional linear foot of frontage.

C. Canopy signs are not included in the total sign area of the property.

17.39.130 Limited Commercial (C1) and Commercial-Waterfront (CW) Zones

1. Sign Types Permitted

The following signs are permitted for licensed businesses in the city's limited commercial and commercial-waterfront zoning districts (C1 and CW):

A. Wall Signs.

B. Canopy Signs.

C. Marquee Signs.

D. Monument or ground signs not to exceed five (5) feet in height.

E. Institutional uses such as churches, schools, libraries, hospitals, community centers, and/or public agency buildings such as fire or police stations may have a ground or monument sign. A sign permit is required for these uses.

F. Hanging Signs.

G. Projecting Signs.

H. Window Signs.

I. Exempt signs. No permit required.

2. Sign Types Prohibited

The following types of signs are prohibited in the C1 and CW zoning districts:

A. Pole Signs, unless no other option is available to meet State requirements, such as for gasoline price signs.

B. Roof Signs.

3. Allowable Sign Area

A. The allowable sign area for non-residential uses is not to exceed one (1) square foot of sign area for each linear foot of street frontage.

B. For parcels with multiple street frontages the allowable sign area shall be one (1) square foot for each linear foot of the longest street frontage plus one-half (1/2) square foot for each additional linear foot of frontage.

C. No sign for any business shall exceed one hundred (100) square feet, nor shall any business be restricted to less than twenty (20) square feet of total sign area.

D. Buildings with over thirty thousand (30,000) square feet of floor area shall be allowed to have one (1) one hundred fifty (150) square foot wall sign. Such sign shall be included in the total sign area for the parcel.

17.39.140 General Commercial (C2), Coastal Zone - General Commercial (CZ-C2), Highway Services (HS), Coastal Zone - Highway Services (CZ-HS), Coastal Zone - Harbor Related (CZ-HR) and Commercial-Manufacturing (CM) Zones

1. Sign Types Permitted

The following signs are permitted for licensed businesses in the city's general commercial (C2), coastal zone - general commercial (CZ-C2), highway services (HS), coastal zone - highway services (CZ-HS), coastal zone - harbor related (CZ-HR) and commercial-manufacturing (CM) zoning districts:

A. Wall Signs.

B. Awning or Canopy Signs.

C. Marquee Signs.

D. Monument or ground signs not to exceed ten (10) feet in height.

E. Institutional uses such as churches, schools, libraries, hospitals, community centers, and/or public agency buildings such as fire or police stations may have a ground or monument sign. A sign permit is required for these uses.

F. Hanging Signs.

G. Projecting Signs.

H. Window Signs.

I. Changeable Copy Signs.

J. Pole Signs.

K. Banners. One promotional banner per street frontage. The banner must be mounted flat against the building, and must be maintained in a good condition. Tattered or torn banners must be removed.

L. Exempt signs. No permit required.

2. Use Permit Required

Twirlers or spinners are prohibited in these zones unless a use permit has first been approved by the Planning Commission.

3. Allowable Sign Area

The allowable sign area for businesses in the General Commercial (C2), Coastal Zone - General Commercial (CZ-C2), Highway Services (HS), Coastal Zone - Highway Services (CZ-HS), Coastal Zone - Harbor Related (CZ-HR) and Commercial-Manufacturing (CM) districts is not to exceed one and one-half (1 1/2) square feet of sign area for each linear foot of street frontage.

Every business shall be permitted at least twenty (20) square feet of sign area. No sign may exceed one hundred fifty (150) square feet of sign area, with the exception of buildings of greater than thirty thousand (30,000) square feet in size, which are permitted to have one (1) wall sign of two hundred (200) square feet.

17.39.150 Illumination

All signs shall be subject to the following restrictions upon illumination:

A. Light from any illuminated sign shall be shaded, shielded or directed so that its intensity or brightness shall not be objectionable to surrounding areas and uses.

B. Except for public service signs such as time and temperature units and official traffic signs, no flashing lights, beacons or other interrupted illuminating devices shall be permitted.

C. Illuminated signs are prohibited except in commercial districts.

D. Illuminated signs shall not be lighted at night unless the service or product is available at that time.

17.39.160 Community Promotion Signs

1. Murals

Murals with no commercial message shall be allowed in all non-residential zones, and on commercial use buildings in the Residential-Professional zones. The design must have the approval of the architectural review committee. All murals shall be maintained in a clean and tidy condition.

2. Vertical Banners

Decorative banners with no commercial message, designed to enhance the community's appearance, may be erected by not-for-profit agencies on the City's street light poles. Such banners may also be displayed by private businesses on poles located on private property. Approval must first be granted by the City Council who may ask to see a sample banner before making their decision. The banners must be maintained in a good condition, with any torn or tattered banners being removed or repaired promptly. The City reserves the right to have any such banner(s) removed if it is felt that it no longer contributes to the aesthetic enhancement of the community.

3. Horizontal Banners

Street banners advertising public entertainment, community events or celebrations, or fund-raising events by community-oriented not-for-profit organizations may be installed if approved by the Public Works department at locations designated by the Public Works Director. The banners may be installed fourteen (14) days before the event begins, and must be removed no later than seven (7) days after the end of the event. A Cal-Trans encroachment permit must be obtained if the banner will encroach upon a state highway.

17.39.170 Exempt Signs

Except for the regulation relating to construction, maintenance, public nuisance and safety the following types of non-illuminated signs shall be allowed without a sign permit and shall not be included in the determination of the type, number or area of signs allowed per business or parcel, or by zoning district:

A. Nameplates. Nameplate signs not exceeding two (2) square feet in display surface, and which are attached flat against the building. One per residential dwelling unit, office or business.

B. Public Signs. Signs of a public, non-commercial nature which are placed by a duly recognized governmental agency, including, but not limited to directional signs, safety signs, handicapped parking signs and signs identifying places of scenic or historical interest.

C. Rental or Room and Board Signs. One sign per frontage, not exceeding four (4) square feet in area, announcing room and board, room, apartment or other dwelling unit for rent.

D. Directional Signs. One sign not to exceed three (3) square feet per entrance or exit, indicating traffic movement onto, from or within a premises.

E. Construction Signs. Signs identifying the names of the architects, engineers, contractors or other involved professionals of a building, development or subdivision under construction, alteration, repair or formation. The signs may also identify the character of the enterprise or the purpose for which the building or development is intended. Such signs may be placed on the property or attached to the outside of the building or on-site construction office only during the period of time when the project is actively under construction. Such signs may not exceed thirty-two (32) square feet in any commercial zone, or nine (9) square feet in any residential zone, except as required by any governmental entity. The sign(s) must be removed before a Certificate of Occupancy will be issued.

F. Real Estate and Subdivision Signs. One (1) unlighted sign per frontage stating that the site is for rent or sale by the owner or named agent and giving information regarding size, price and terms. Such signs may be placed in the yard or attached to the outside of the building. Freestanding real estate signs may not exceed three and one-half (3 1/2) feet in height from the ground level to the top of the sign. Real estate signs may not exceed nine (9) square feet in area. Real estate signs larger than nine (9) square feet will require a building permit.

G. Political Campaign Signs.

1. It is the intent of this code to exempt campaign signs from the regulations of this chapter relative to the placement of General Advertising Signs in all zones of the city, and to thereby encourage participation by the electorate in political activity during the period of political campaigns, but to permit such uses subject to regulations that will assure that political signs will be located, constructed and removed in a manner so as to assure the public safety and general welfare and to avoid the creation of a public nuisance caused by the proliferation of political advertising which would be

offensive to the senses and would interfere with the comfort and enjoyment of life or property. It is the purpose of the council, in adopting these Sections to provide such regulations as will contribute to the public safety and general welfare and insure the right of political expression to all members of the community.

2. Signs or posters announcing candidates seeking elective office, or encouraging a particular stance on a measure before the popular vote. Each sign located on private property, shall be placed only with the permission of the property owner or tenant, and posted in such a way as to not constitute a public nuisance or safety hazard, and may not block the views of vehicular traffic or obstruct the public right-of-way.

3. Campaign signs in a public right-of-way. Notwithstanding any other provision of this code, a campaign sign may be placed in the public right-of-way adjacent to a public street in commercially or industrially zoned areas or along prime or major arterials in residentially zoned areas subject to the following restrictions:

a. No sign shall be attached to any utility pole, public structure, pole or structure supporting a traffic control sign or device, or hydrant.

b. No sign shall be placed on any tree or shrub by any nail, tack, spike or other method that will cause physical harm to the tree or shrub.

c. No sign shall be placed in such a manner as to obstruct the public use of the sidewalk or interfere with the visibility of persons operating motor vehicles or constitute a hazard to persons using the public road or right-of-way.

d. No sign shall be placed in the roadway or on the sidewalk.

e. No sign shall be placed in that portion of the public right-of-way or easement past the sidewalk without the consent of the adjoining property owner or person in possession if different from the owner.

No political sign shall be posted more than forty-five (45) days prior to, or ten (10) days following an election.

H. No Trespassing Signs. One (1) sign per street frontage, not to exceed four (4) square feet in area indicating limitation on the use of private property by other than the owners. If more than one sign per frontage is needed the property owner or business person may apply to the Planning Commission for a Use Permit.

I. Customer or Tenant Parking Only Signs. One (1) sign per street frontage, not to exceed four (4) square feet in area. The sign shall contain any of the following appropriate restrictions:

1. Customer parking only;
2. Tenant parking only; or
3. Private property, no parking.

The sign shall also contain the telephone number of the city police department. The lettering on the sign must contrast with the background of the sign and be at least two (2) inches high, and made with a one-half (1/2) inch stroke. The sign shall also contain the words "Violators May Be Towed". If more than one sign per frontage is needed the property owners or business person may apply for a Use Permit.

J. Window Signs.

K. Awning or Canopy Signs.

L. Corporate flags and Governmental flags.

M. Garage Sale, Moving Sale, or Yard Sale Signs. Signs announcing the date(s) and location of a garage sale, moving sale or yard sale. Such signs shall not be posted in a manner which will block a public right-of-way, or which will block the vision of vehicular traffic. The signs must be removed once the date of the sale is passed.

N. Banners. One banner advertising products or services for sale on the premises per street frontage per business.

O. Barber Shop Poles. Barber poles projecting not over eighteen (18) inches from the face of the building where the barber shop is located or not projecting into the public right-of-way.

P. Holiday Decorations. Displays of a decorative, non-commercial nature for the purpose of celebrating a seasonal, political or religious holiday or a recognized community celebration, in season, for an aggregate period of not more than sixty (60) days in one calendar year.

Q. Temporary or Seasonal Sales Booths. Signs including, but not limited to fireworks stands, pumpkin sales, Christmas tree lots, community crafts fairs and temporary certified farmer's markets.

R. Community or Special Event Signs, Including Banners. Signs and banners for non-commercial promotional events of a civic, charitable, educational, religious or community service organizations provided any applicable encroachment permit has been obtained from other governmental entities having jurisdiction. The signs or banners must be removed within fourteen (14) days after the event.

17.39.180 Historical Signs

Signs which have historical significance to the community but do not conform to the provisions of these regulations may be issued a permit to remain provided the Planning Commission makes the following findings:

- A. The sign has historical significance for the community.
- B. The sign does not create a traffic hazard.
- C. The sign does not create a visual nuisance to the character of the community.
- D. The sign is properly maintained and structurally sound, or can be made so as part of an historical designation or preservation process.
- E. The sign does not adversely affect adjacent properties.

17.39.190 Enforcement

1. Administration.

All actions taken by department heads, officials, or other employees of the city vested with the duty or authority to issue any permit, license or certificate shall conform to the provisions of this chapter and shall issue no permit, license or certificate for uses, buildings, or structures or purposes in conflict with the provisions contained in this chapter. Any permit, certificate or license issued in conflict with the provisions of this ordinance shall be void.

The Community Development Director, Public Works Director, Building Official, Code Enforcement Officer, or other person authorized by the City Manager, shall be authorized to enforce provisions of this chapter and to issue citations and make arrests pursuant to State and City codes.

A. The Community Development Director or designee shall be responsible for the following functions:

- 1. Interpretations of this chapter; and

2. The review of sign permit applications for conformance with this chapter.

B. The Building Official or designee shall be responsible for the following functions:

1. Inspections of signs and installation of signs;
2. Inspections of purported violations of this chapter; and
3. The enforcement of this chapter by issuing final inspection approval of sign installations.
4. Determination whether the sign applicant must apply for a building and/or electrical permit in addition to a sign permit.

2. Right of Entry.

Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the Community Development Director, Enforcement Officer or their designee has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises unsafe, dangerous or hazardous or may otherwise be in violation of the code, the Community Development Director, Enforcement Officer or their designee may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed by this code.

3. Violations.

Any sign or sign structure erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this ordinance and any use of land, building or premises established, conducted, operated or maintained contrary to the provisions of this chapter shall be and is hereby declared to be unlawful and a public nuisance. All necessary legal proceedings for the abatement, removal and enjoinder thereof may be instituted in the manner provided by law and other steps as may be necessary to accomplish these ends may be utilized to apply to a court of competent jurisdiction to grant such relief as will remove and abate the structure or use and restrain and enjoin the person, firm, corporation or an organization from erecting, moving, altering or enlarging the structure or using the site contrary to the provisions of the ordinance. The remedies prescribed by this section are cumulative and not exclusive.

4. Procedure.

The City Manager, Community Development Director, Building Official, City Attorney or their designee may serve notice requiring the removal of any structure or use in violation

of this ordinance on the owner or the owner's authorized agent, on a tenant or on an architect, builder, contractor or other person who commits or participates in any violation.

In the event of a violation of this ordinance or any regulation made under authority conferred herein, in addition to other remedies, the City Attorney may institute any appropriate criminal prosecution, civil action or other proceedings to punish the perpetrator of such violation; to prevent such unlawful erection, movement, alteration, enlargement, maintenance, or use; to restrain, enjoin, connect or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct business or use in or about such premises.

5. Stop Work Orders.

Whenever any sign work is being done contrary to the provisions of this article, the City Manager, Community Development Director, Building official, City Attorney or their designee may order the work stopped by notice in writing served on any persons engaged in doing such work or in causing such work to be done. Any such persons shall forthwith stop such work until authorized by the city to proceed with the work.

6. Revocation of Permit.

Any permit issued under the terms of this chapter may be revoked by the Community Development Director, Public Works Director or Building Official when it appears that the sign has been erected or maintained in violation of the provisions of this chapter or any other ordinance or law. No such permit revocation shall be effective until Planning Commission affirms the revocation after a hearing set for that purpose. Written notice of the time and place of such hearing shall be given to the permit holder at least ten (10) days before the date set for the hearing. The notice shall contain a brief statement of the grounds for revoking the permit. Notice may be given either by personal delivery or by deposit in the United States mail a sealed envelope, registered mail, return receipt requested, postage prepaid and addressed to the permit holder.

7. Owner to Remove Signs.

Within thirty (30) days after the revocation of any permit as provided in the preceding section, or within ten (10) days after affirmance of such revocation the sign or signs described in such revocation shall be removed by the former permit holder. If such removal is not completed within that time, the Community Development Department shall cause such sign to be removed, and permit holder shall be liable to city for all costs reasonably associated with the sign removal including, but not limited to, all fees, salaries (including benefits) and disposal charges.

8. Nature of Removal.

A. A sign subject to removal shall be removed in a safe manner.

B. Any accessory structures or foundations or mounting materials that are unsightly or a danger to the safety and welfare of the citizens shall be removed along with the sign.

9. Removal - Assessment of Costs.

The costs involved in the removal of signs by the City shall become a special assessment against the real property upon which the sign is located. The Community Development Department shall notify, in writing, all persons having an interest of record in the official records of the County Assessor of the amount of such assessment resulting from such work. Within five (5) days of the service of such notice, any person having any right, title or interest in the property or any part thereof, may file with the Planning Commission a written request for a hearing on the correctness and/or reasonableness of such assessment. In the event of such timely written request, the Planning Commission shall set the matter for hearing, give such person reasonable notice thereof by first class mail, postage prepaid, hold such hearing, and determine the reasonableness and/or correctness of the assessment. The Planning Commission shall notify, by first class mail, postage prepaid, all such persons making such request of its decision in writing within five (5) days thereof. If the total assessment determined as provided for in this section is not paid in full within ten (10) days after receipt of such notice, the Community Development Department shall record in the office of the County Recorder a statement of the total balance still due and a legal description of the property. From the date of such recording, such balance due shall be a special assessment against the property.

10. Collection of Assessments.

The assessment shall be collected at the same time and in the same manner as ordinary county taxes as collected, and shall be subject to the same penalties and same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such special assessment.

11. Violation - Penalty.

Any person, firm or corporation violating any provisions of this ordinance shall be guilty of a misdemeanor or an infraction as charged per the prosecutorial discretion of the City Attorney. Such person, firm or corporation shall be deemed guilty of a separate offense for each day during any portion of which any violation of this ordinance is committed, continued or permitted by such person, form or corporation.

12. Nuisances Abatement.

The City Council hereby determines that the public peace, safety, morals, health and welfare require that all signs and advertising structures heretofore constructed or erected

in violation of any ordinance of the City of Crescent City in effect at the time such sign was constructed or erected be and are hereby made subject to the same provisions of the section. Such signs shall be made to conform and comply with this ordinance as soon as reasonably possible after the effective date of this ordinance. All signs and advertising structures that are not made to conform and comply within a reasonable time shall be and are hereby declared to be public nuisances and may be abated in the manner provided. All signs and advertising structures which are structurally unsafe, which constitute a fire hazard or which are otherwise dangerous to human life, or which constitute any hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment, as specified in this article or any other effective ordinance, are, for the purposes of this section, unsafe signs or sign structures. All such unsafe signs or sign structures are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal.

13. Constitutionality.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this chapter. The City Council declares that it would have adopted the chapter and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

17.39.200 Matrix Regulations

	Single-Family Res. Zones (R1, R1B, CZ-R1, CZ-R1B)	Multiple-Family Res. Zones (R2, CZ-R2, R3)	Apts. of 4 or more units (R3)	Residential-Professional Zones (RP and CZ-RP)	Limited Com. & Com. Wat. (C1, CZ-C1, CW, CZ-CW)	General Com. & Hwy. Services (C2, CZ-C2, HS, CZ-HS)	Commercial Manufacturing (CM)	Coastal Zone - Harbor Related (CZ-H)	Bed and Breakfast Establishments
SIZE REGULATIONS:									
Nameplates, 2 sq. ft. of sign area, non-illuminated	X	X	X	X					X
1/2 sq. ft. of sign area for each linear ft. of frontage				X					
1/2 sq. ft. of sign area for each linear ft. of frontage plus 1/4 sq. ft. of sign area for each ft. of frontage for multiple frontages	X	X	X	X					
1 sq. ft. of sign area for each linear ft. of frontage					X				
1 sq. ft. of sign area for each linear ft. of frontage plus 1/2 sq. ft. of sign area for each ft. of frontage for multiple frontages					X				
1 and 1/2 sq. ft. of sign area for each linear ft. of frontage						X	X	X	
Projecting sign extending not more than 36 inches from building					X	X	X	X	
One sign not to exceed 20 sq. ft. in area									X
Maximum sign area 100 sq. ft. per face					X				
Maximum sign area 150 sq. ft. per face						X			
Construction signs not to exceed 32 sq. ft. in area					X	X	X	X	
Construction signs not to exceed 9 sq. ft. in area	X	X	X	X					X
Real estate signs not to exceed 6 sq. ft. in area and 3 1/2 ft. in height	X	X	X	X	X	X	X	X	X
HEIGHT REGULATIONS:									
30 foot maximum to top of pole sign						X	X	X	
14 ft. minimum to bottom of pole sign in a vehicular area						X	X	X	
10 ft. minimum to bottom of pole sign in a pedestrian area						X	X	X	
Ground or monument sign not to exceed 5 ft in height and 20 sq. ft. in area									X
Ground or monument sign not to exceed 5 ft in height and 24 sq. ft. in area			X						
Ground or monument sign not to exceed 5 ft in height				X	X				
Ground or monument sign not to exceed 10 ft in height						X	X	X	
LOCATION REGULATIONS:									
One pole sign per parcel						X	X	X	
SIGN TYPE REGULATIONS:									
Wall Signs				X	X	X	X	X	
Awning or Canopy Signs				X	X	X	X	X	
Marquee Signs					X	X	X	X	
Monument or Ground Signs			X	X	X	X	X	X	
Hanging Signs					X	X	X	X	
Projecting Signs					X	X	X	X	
Window Signs				X	X	X	X	X	
Changeable Copy Signs						X	X	X	
Pole Signs						X	X	X	
Banners						X	X	X	
Nameplate Signs	X	X		X	X	X	X	X	X
Illuminated Signs					X	X	X	X	