

CALIFORNIA COASTAL COMMISSION

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W11a

LCP-1-EUR-20-0072-2 (SIGN ORDINANCE)

July 13, 2022

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Coastal Zoning Map in the City of Eureka

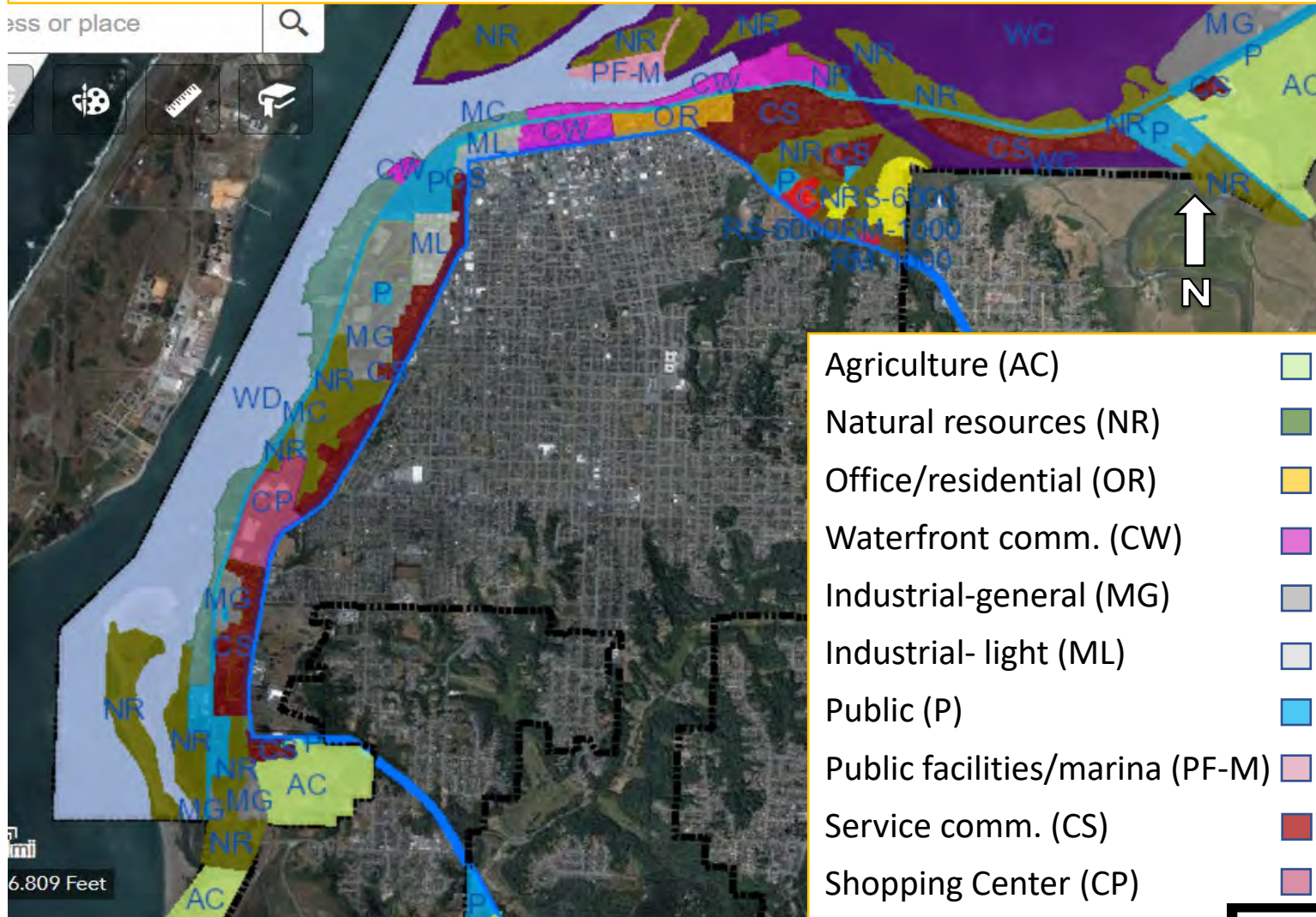


Exhibit 1
LCP-1-EUR-20-0072-2
(City of Eureka)
Zoning Map

Coastal Zone (Blue), Eureka City Limits (Black dotted), & Hwy 101 (Grey dotted)

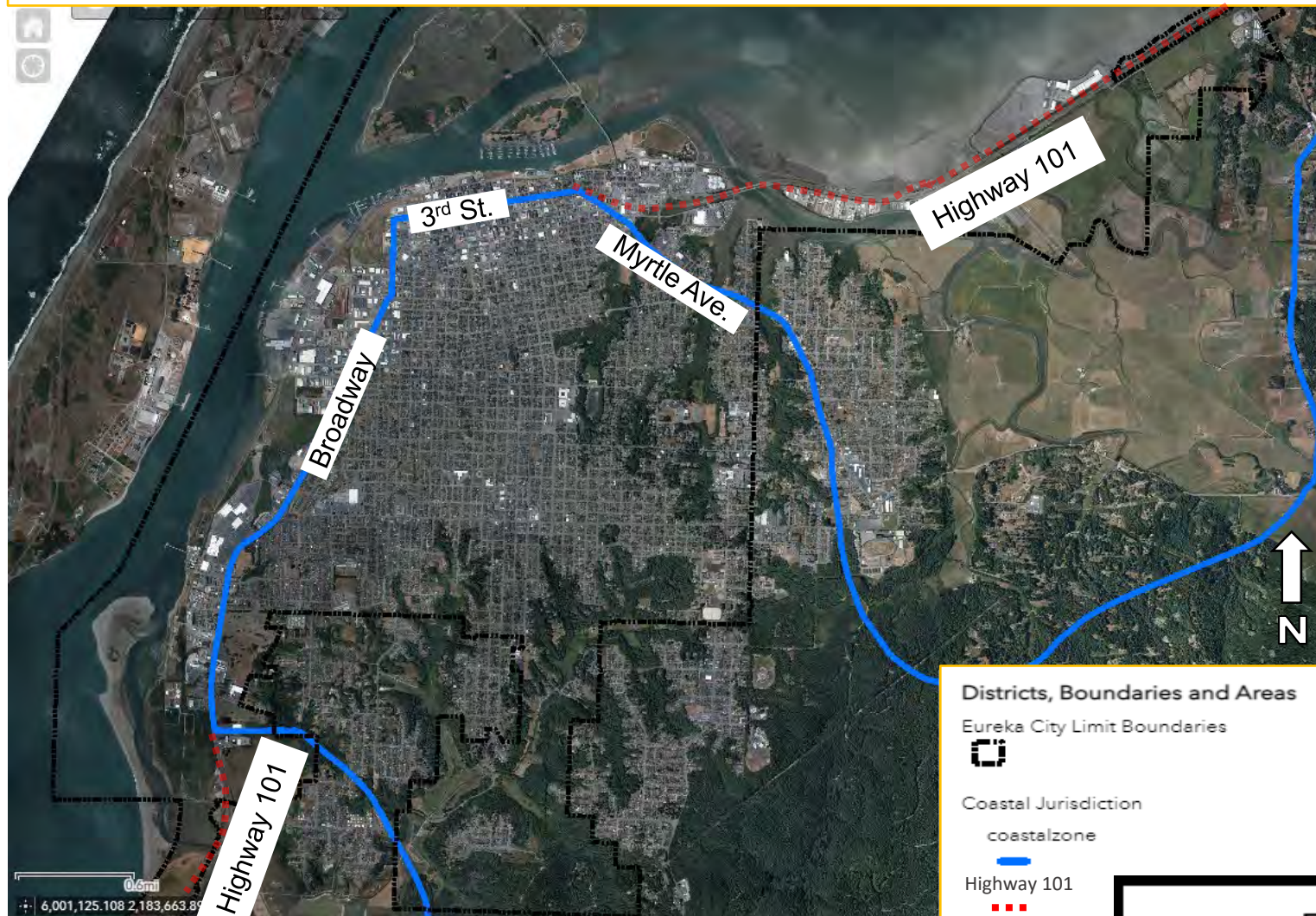


Exhibit 2
LCP-1-EUR-20-0072-2
(City of Eureka)
City, CZ, Hwy Boundaries

Coastal Scenic Views & Areas from Humboldt County's certified LUP relative to the boundaries of the City of Eureka

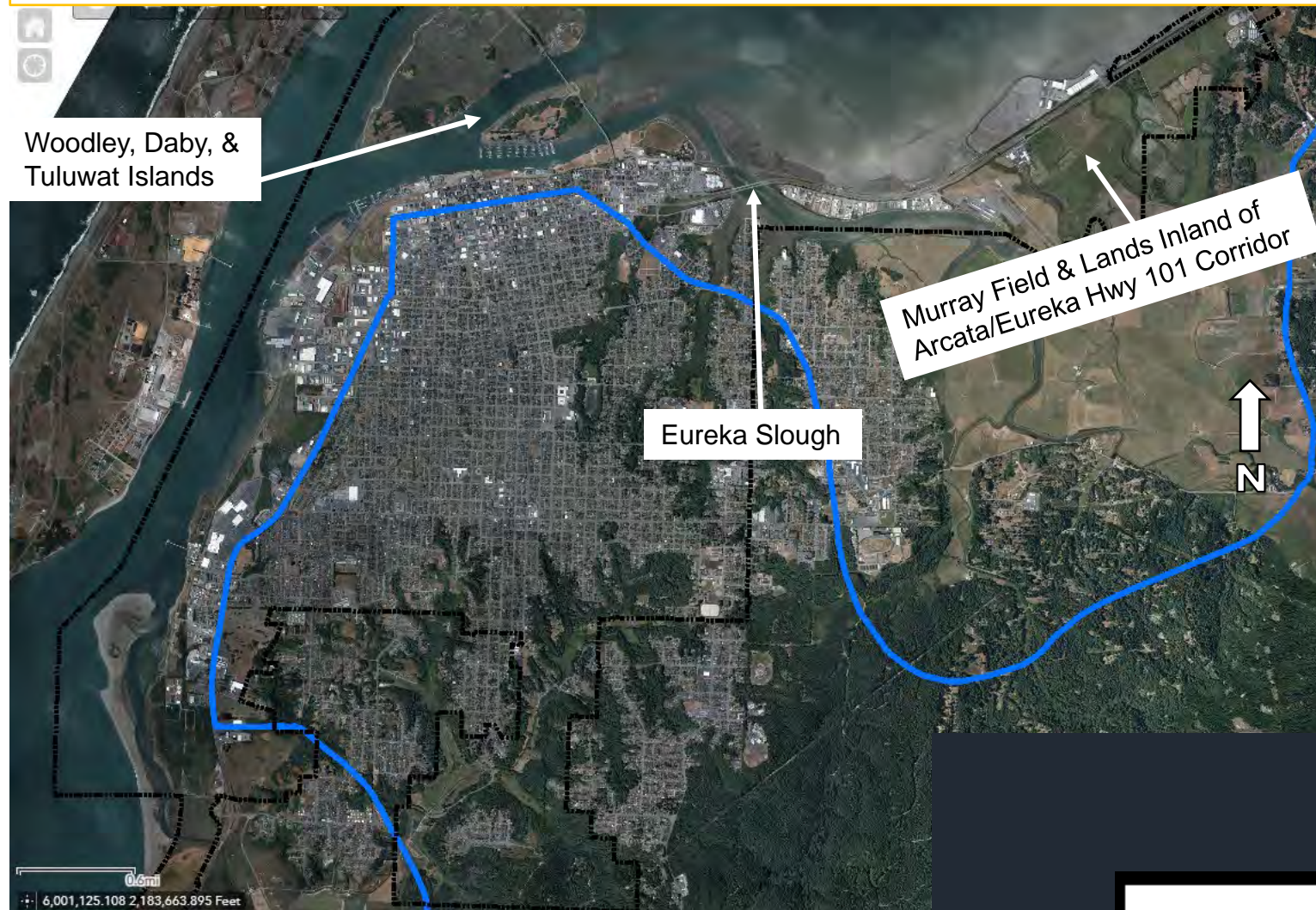
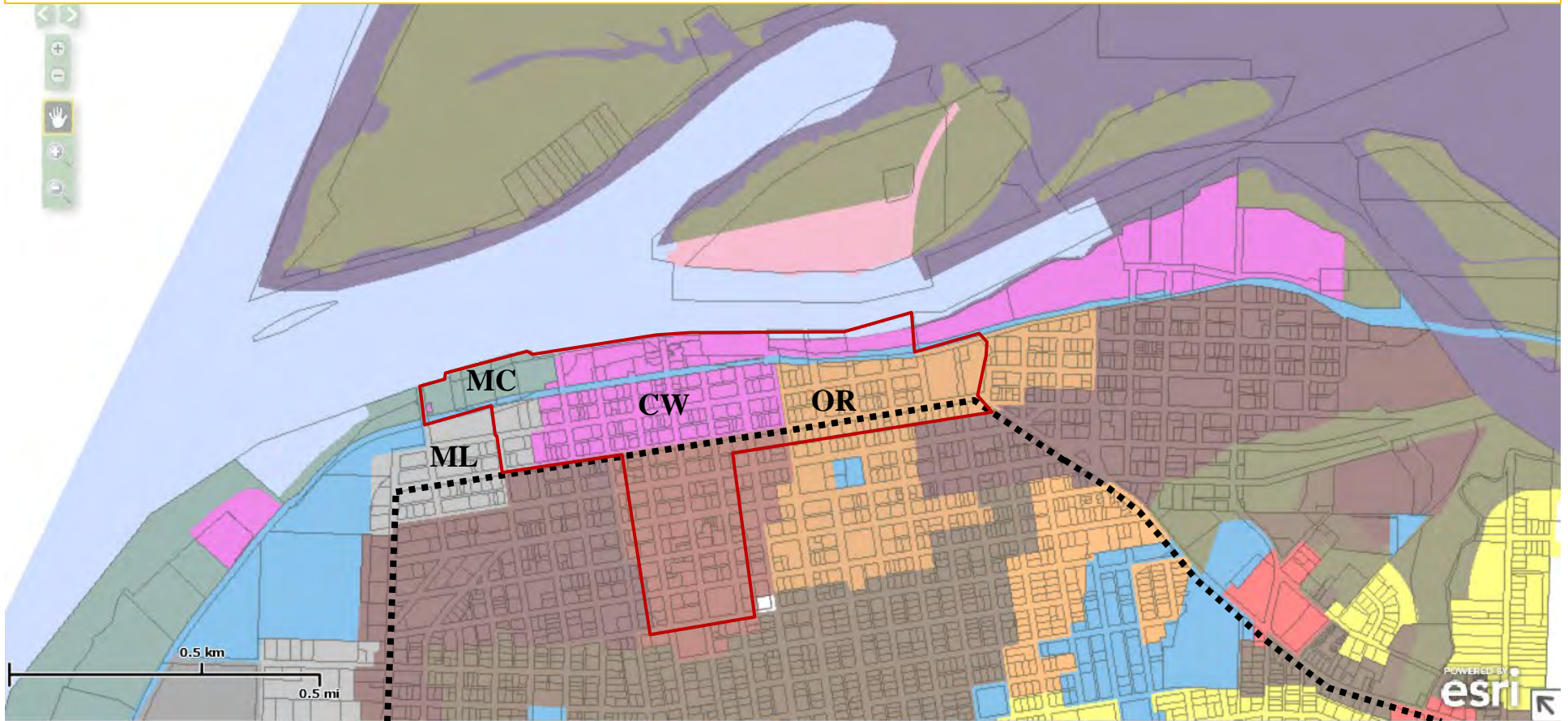


Exhibit 3
LCP-1-EUR-20-0072-2
(City of Eureka)
Scenic Coastal Areas

Core Area Zoning Districts in the Coastal Zone



..... = Coastal Zone
— = Core Area

Zoning Districts

MC = Coastal Dependent Industrial
CW = Waterfront
ML = Light Industrial
OR = Office and Multi-Family Residential

Exhibit 4
LCP-1-EUR-20-0072-2
(City of Eureka)
Core Area Map

California Coastal Trail and Access Points

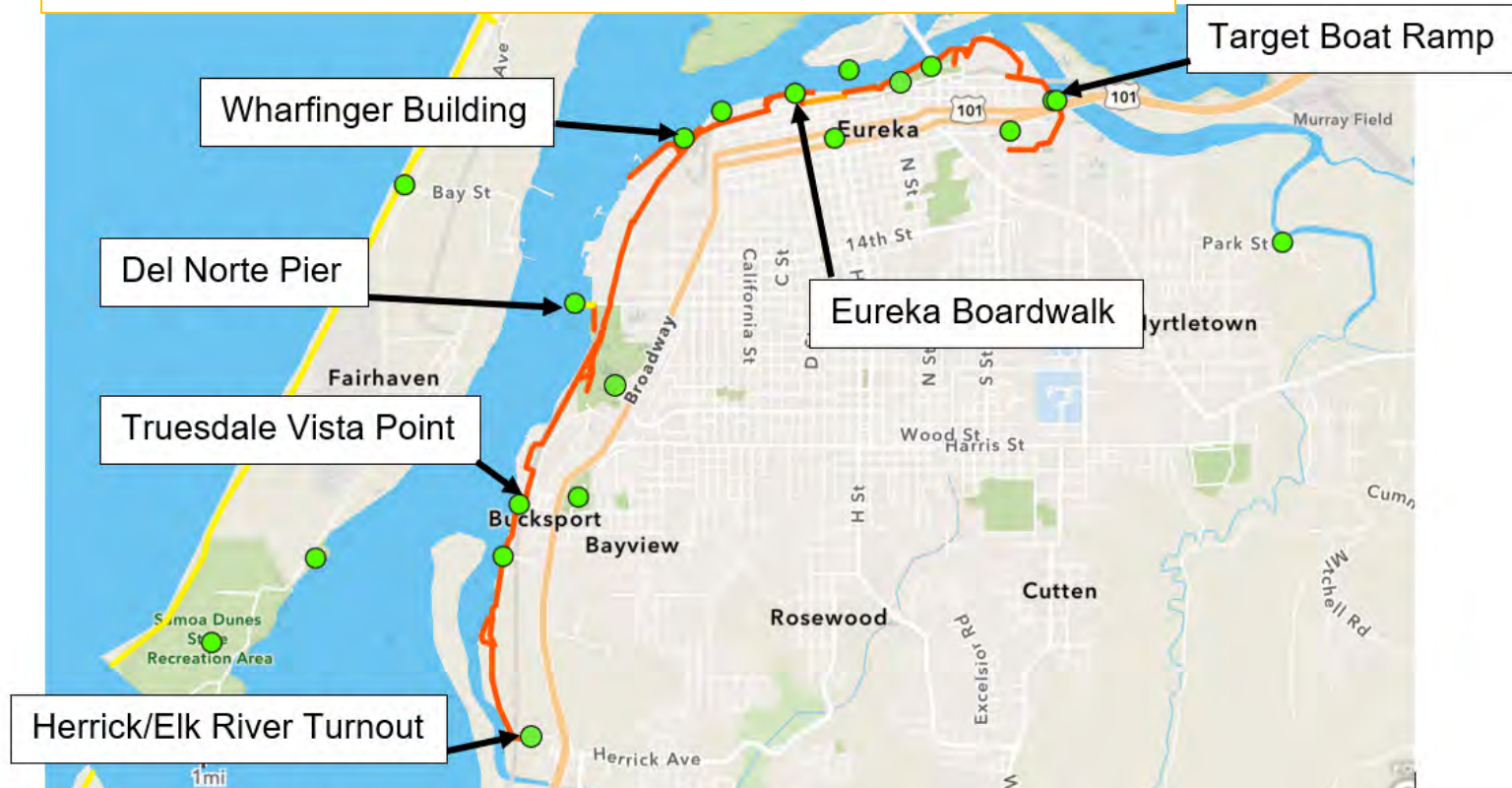


Exhibit 5
LCP-1-EUR-20-0072-2
(City of Eureka)
Coastal Trail & Access Points

RESOLUTION NO. 2020-58

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA
TRANSMITTING AN AMENDMENT TO THE IMPLEMENTATION PLAN PORTION
OF THE ADOPTED AND CERTIFIED CITY OF EUREKA LOCAL COASTAL
PROGRAM PERTAINING TO SIGNS TO THE CALIFORNIA COASTAL
COMMISSION FOR CERTIFICATION**

WHEREAS, the City of Eureka desires to amend the Text of the Eureka Municipal Code and the Local Coastal Program (Implementation Plan) to repeal and replace Eureka Municipal Code Title 10 Chapter 5 Article 17 with the Coastal Sign ordinance and amend Article 1 General, Article 18 Site Plan Review and Architectural Review, Article 22 Nonconforming Uses, Structures, and Signs, Article 26 Zoning Permits and Certificates of Occupancy, and Article 29 Coastal Development Permit Procedures pertaining to signs. City of Eureka project numbers TA-20-0001 and LCP-20-0001 were assigned; and

WHEREAS, the Local Coastal Program Amendment includes an amendment to the text of the Implementation Plan; and

WHEREAS, the proposed Local Coastal Program Amendment will affect the entire coastal zone district; and

WHEREAS, the Implementation Plan Amendment will provide regulation for signs within the Coastal zone; and

WHEREAS, pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission's review and development process for Local Coastal Programs and Local Coastal Program amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA; and

WHEREAS, pursuant to Title 14 California Code of Regulations, Section 13515, on July 31, 2020, a "*Notice of Availability of Draft Local Coastal Program Amendment and Notice of Planning Commission Public Hearing*" for the draft Amendment was mailed or delivered to 80 local, state and federal departments and agencies; the Humboldt County Library; one newspaper of general circulation and 11 radio stations; and

WHEREAS, on July 31, 2020, the same Notice was published in the Times Standard, a daily newspaper of general circulation; and

WHEREAS, the Notice advised of a public hearing scheduled before the Planning Commission via Zoom on August 10, 2020; and

WHEREAS, pursuant to Title 14 California Code of Regulations, Section 13515, the both the mailing and publication on July 31, 2020, were at least ten days prior to the scheduled public hearing; and

WHEREAS, at the public hearing held by the Planning Commission via Zoom on August 10, 2020, there were no persons who provided testimony either for or against the Local Coastal Program amendment; and

WHEREAS, upon closing the public hearing, the Planning Commission considered the Implementation Plan portion of the Text Amendment and Local Coastal Program Amendment and adopt Planning Commission resolution no. 2020-17, making THE findings required for a Text and Local Coastal Program Amendment and recommending the City Council rescind and replace Eureka Municipal Code Title 10 Chapter 5 Article 17. Signs with the Coastal Sign Amendment”; and

WHEREAS, pursuant to Title 14 California Code of Regulations, Section 13515, on August 14, 2020, a “*Notice of Availability of Draft Local Coastal Program Amendment and Notice of City Council Public Hearing*” for the draft Amendment was mailed to 80 local, state and federal agencies; the Humboldt County Library; one newspaper of general circulation and 11 radio stations; and

WHEREAS, on August 21, 2020, the same Notice was published in the Times Standard, a daily newspaper of general circulation; and

WHEREAS, the Notice advised of a public hearing scheduled before the City Council via Zoom on September 1, 2020; and

WHEREAS, pursuant to Title 14 California Code of Regulations, Section 13515, the mailing on August 14, 2020, and the publication on August 21, 2020, was at least ten days prior to the scheduled public hearing; and

WHEREAS, the City Council held a public hearing on September 1, 2020, via Zoom to consider the Text Amendment and Local Coastal Program Amendment. No persons provided testimony in favor or against the Local Coastal Program amendment; and

WHEREAS, on September 1, 2020, upon closing the public hearing, the City Council considered the Text Amendment and Local Coastal Program Amendment and the Planning Commission’s recommendation, and introduced Bill No. 984-C.S., to repeal and replace Eureka Municipal Code Title 10 Chapter 5 Article 17 with the Coastal Sign ordinance and amend pertinent portions of the Implementation Plan pertaining to signs; and

WHEREAS, on September 15, 2020, the City Council waived reading, read by title only and adopted Bill No. 984-C.S.; and

WHEREAS, Section 13515(c) of Title 14 Code of Regulations requires that there be a minimum of six weeks (42 days) between the "Notice of Public Hearing" for the draft Local Coastal Program Amendment and the City's final action; and

WHEREAS, the City Council's final action on the Local Coastal Program Amendment occurred on September 15, 2020, which is 46 days following the July 31, 2020, mailing and publication in the Times Standard of the Notice of Availability and Public Hearing.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Eureka as follows:

SECTION 1. The City Council hereby finds that the Text Amendment conforms to Chapter 3 of the Coastal Act.

SECTION 2. The City Council hereby finds that the Text Amendment, which amends the Implementation Plan of the Local Coastal Program, is consistent with the adopted Land Use Plan and is not known to create any conflicts or contradictions to adopted Plan policy, nor any inconsistencies within the General Plan itself, and furthermore, is generally found to be consistent with existing General Plan objectives to protect the public health, safety, peace, comfort, convenience, prosperity and general welfare in the City of Eureka.

SECTION 4. The City Council hereby declares that pursuant to Coastal Act Section 30510(a), the City of Eureka will carry out the Text Amendment and Local Coastal Program Amendment in a manner fully consistent with the California Coastal Act.

SECTION 5. The City Council directs Staff to transmit the adopted Text Amendment and Local Coastal Program Amendment pertaining to Coastal Signs to the Coastal Commission for certification.

SECTION 6. The City Council directs the amendment to the Implementation Plan of the Local Coastal Program take effect automatically upon Coastal Commission certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 15th day of September, 2020 by the following vote:

AYES: COUNCILMEMBERS CASTELLANO, MESSNER, ARROYO, ALLISON, BERGEL
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS



Susan Seaman, Mayor of the City of Eureka

Attest:



Pamela J. Powell, City Clerk

Approved as to Administration:



Miles Slattery, Interim City Manager

Approved as to form:



Robert N. Black, City Attorney

**AN ORDINANCE OF THE CITY OF EUREKA REPEALING AND REPLACING
EUREKA MUNICIPAL CODE TITLE 10 CHAPTER 5 ARTICLE 17 SIGNS AND
AMENDING ARTICLE 1 GENERAL, ARTICLE 18 SITE PLAN REVIEW AND
ARCHITECTURAL REVIEW, ARTICLE 22 NONCONFORMING USES,
STRUCTURES, AND SIGNS, ARTICLE 26 ZONING PERMITS AND
CERTIFICATES OF OCCUPANCY, AND ARTICLE 29 COASTAL DEVELOPMENT
PERMIT PROCEDURES PERTAINING TO SIGNS**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

Section 1.

Eureka Municipal Code Title 10 Chapter 5 Article 17 Signs is hereby repealed and replaced as follows:

Article 17. Signs

Sec. 10-5.1701. Purposes and scope.

In order to maintain the attractiveness and orderliness of the City appearance and to protect the public safety, this section establishes standards relating to the permitted type, size, dimensions, placement, number, and design of signs. The intent of these standards is to:

- (a) Support economically viable businesses serving city residents, workers, and visitors;
- (b) Allow for signage that identifies businesses and other properties in a fair and equitable manner;
- (c) Allow persons to exercise their free speech rights protected under the U.S. and California Constitutions;
- (d) Promote the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape, in order to meet the community's expressed desire for quality development;
- (e) Ensure that signs are compatible with their surroundings;
- (f) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting, or illegible signage;
- (g) Emphasize Eureka's small-town historical character by promoting pedestrian-oriented and appropriately-scaled signage in all parts of town other than Broadway;
- (h) Acknowledge Broadway's role as a primarily vehicular corridor through Eureka and allow for larger-scale and more vehicle-oriented signs on Broadway while still emphasizing aesthetic quality and scales appropriate for Eureka; and
- (i) Allow for a simple and streamlined sign permitting process.

Sec. 10-5.1702. Applicability.

Unless specifically exempted, all signs in Eureka must comply with the requirements

of this section, including signs for which a City permit or other approval is not required.

Sec. 10-5.1703. Signs allowed without sign permits.

10-5.703.1. Types of signs.

The following signs are exempt from the permit requirements of this section except for the coastal development permit requirements of 10-5.1707.7 and are not counted towards the allowable sign area or number of signs:

(a) Street, apartment, unit, suite numbers, and nameplates, not greater than four inches in height for residential uses, and not greater than six inches in height for commercial uses.

(b) One commemorative plaque identifying a building name, date of construction, or similar information that is cut into, carved, or made of stone, concrete, metal, or other similar permanent material. Commemorative plaques may not be illuminated.

(c) Holiday and cultural observance decorations on private property which do not include any commercial advertising.

(d) Non-digital sandwich board signs on private property, not to exceed a vertical or horizontal dimension of four feet.

(e) On-site directional signs located entirely on the property to which they pertain, identifying direction to parking, restrooms, and similar public facilities, each not exceeding five feet in height and five square feet in area for non-residential uses, and two square feet for residential uses.

(f) One directory sign per street frontage as follows:

(a) Maximum area: one square foot per tenant.

(b) Maximum height: six feet if freestanding.

(c) Internal illumination prohibited.

(g) One single, non-illuminated, wall-mounted outdoor sign of not more than two square feet in area.

(h) Each lot containing a vacation dwelling unit use may display one single, non-illuminated, wall-mounted outdoor sign of not more than two square feet.

(i) Flags bearing noncommercial messages or graphic symbols.

(j) Signs installed or required by a governmental agency, including signs advertising community activities and local nonprofit, civic, or fraternal organizations.

(k) Signs with information for the safety and convenience of the public such as address, hours and days of operation, whether a business is open or closed, no smoking notices, up to three square feet per sign and 10 square feet in total. Excludes internally illuminated window signs.

(l) Signs within a building, or on the premises of a building, that are not visible from the public right-of-way and are intended for interior viewing only.

(m) Window signs consistent with Table 17-3 (Window Signs, Non-Illuminated) and Table 17-4 (Window Signs, Internally Illuminated). Signs may not move or appear to move, change intensity, color, or pattern at any time, and may not create a public nuisance or hazard due to glare or halo effect.

(n) Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial or public or semipublic use, including but not limited to telephone booths, restrooms, vending machines, automated teller machines, gasoline pumps, drive-thru restaurant menu boards, and other signs of an instructive nature.

(o) "No trespassing" signs, each not more than one square foot in size, placed at each corner and each entrance to a property, and at intervals of not less than 100 feet, or in compliance with the requirements of state or federal law.

(p) One bulletin board on a parcel occupied by a non-commercial place of public assembly, with a maximum area of 12 square feet.

(q) Real estate listings posted in the window of a real estate office, with a maximum area of 25 percent of the total window area.

(r) Restaurant menu signs attached to a building.

(s) Service station price signs as required by State law. (See Business and Professions Code Section 13530). Service station signs may include digital displays; however, the digital display may change no more than once a day. Digital displays must comply with brightness limitations in Table 17-10 (Digital Signs).

(t) Temporary signs consistent with 10-5.1710 (Temporary Signs).

10-5.1703.2. Routine maintenance.

The painting, cleaning, repair, and normal maintenance of a legally-established sign in conformance with 10-5.1709.5 (Maintenance) is allowed by-right, without a zoning permit or other form of Department approval, except as provided by Sec. 10-5.1707.7.(a).

10-5.1703.3. Murals and decorations.

Murals, decorations, and design elements on the exterior of a building that do not advertise a product, business, or service are not considered signs and are not subject to the requirements of this section. Advertisement includes text displaying the name of a business, text displaying the name of a product, text publicizing a service, business-specific logos, and product-specific logos.

Sec. 10-5.1704. Prohibited signs

10-5.1704. 1. Prohibited sign types.

The following types of signs are prohibited:

(a) Banner signs, feather banners, yard signs, and inflatable balloon signs, except when used as a temporary sign consistent with 10-5.1710 (Temporary signs).

(b) Beacon signs and searchlights.

(c) Human directional and advertising signs.

(d) New off-premise signs established on or after [add date ordinance certified by the Coastal Commission].

(e) Ticker signs.

10-5.1704.2. Prohibited location or placement.

Signs placed in the following locations are prohibited:

- (a) Signs attached to or placed adjacent to any utility pole, parking meter, traffic signpost, traffic signal, or any other traffic control device except when installed by a governmental agency.
- (b) Signs attached to trees.
- (c) Signs erected or maintained with horizontal or vertical clearance from overhead utilities less than required by a governmental agency.
- (d) Signs installed without permission of the property owner or the owner's agent.
- (e) Signs mounted or attached to a vehicle parked for the purpose of calling attention to or advertising a business establishment. This prohibition does not limit the use of business logos, identification, or advertising on vehicles actively used for business purposes and/or personal transportation.
- (f) Signs in the public right-of-way or projecting over a public street which have not received an encroachment permit.
- (g) Signs that obstruct or interfere with a traffic control sign or signal.
- (h) Signs that obstruct or interfere with the free use of a fire escape, exit, stairway, door, ventilator or window in violation of the California Building or Fire Code.

Signs that conflict with 10-5.2925 (Traffic site obstructions) or signs that otherwise interfere with visibility at an intersection, public right-of-way, driveway, or other point of ingress/egress. The City may require sign setbacks greater than specified in this section to maintain adequate visibility for motorists and pedestrians.

10-5.1704.3. Prohibited design features.

Signs with the following design features and/or physical characteristics are prohibited:

- (a) Signs containing mirrors and signs that constitute a traffic hazard due to highly reflective or fluorescent materials.
- (b) Signs that simulate in size, color, lettering, or design a traffic control sign or signal.
- (c) Signs that blink, except chase lighting (see Illumination (10-5.1709.8)).
- (d) Signs that flash, strobe, or change intensity.
- (e) Signs emitting audible sounds, odor, fumes, smoke, flames, or other visible matter.
- (f) Signs that feature a flag, pennant, whirligig, or any devices that wave, flutter, rotate or display other movement under the influence of wind.

10-5.1704.4. Prohibited sign content.

- (a) The following sign content is prohibited:
 - (i) Obscene or indecent text or graphics.
 - (ii) Text or graphics that advertise unlawful activity under state or local laws.
 - (iii) Text or graphics that constitute defamation, incitement to imminent lawless action, or true threats.
 - (iv) Text or graphics that present a clear and present danger due to their potential

confusion with signs that provide public safety information (for example, signs that use the words "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).

(b) The content prohibited by Paragraph (a) above is either not protected by the United States or California Constitutions or is offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. It is the intent of the City Council that each subparagraph of Paragraph (a) above be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or California Constitutions.

10-5.1705. Rules of measurement.

10-5.1705.1. Calculating sign area.

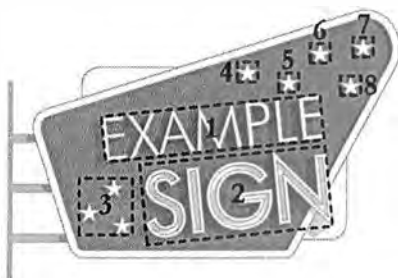
(a) Sign area for digitally-printed signs is measured as the area within a single rectangle that completely enclose the sign copy and graphics, as well as any frame, material, or color that is an integral part of the display or used to differentiate the sign's contents from the background against which they are placed. See Figure 17-1.

(b) For all signs other than digitally-printed signs, sign area is measured as the area within up to eight rectangles that completely enclose the sign copy and graphics. See Figure 17-2.

Figure 17-1: Sign area measurement – Digitally-printed signs.



Figure 17-2: Sign area measurement – All other sign types

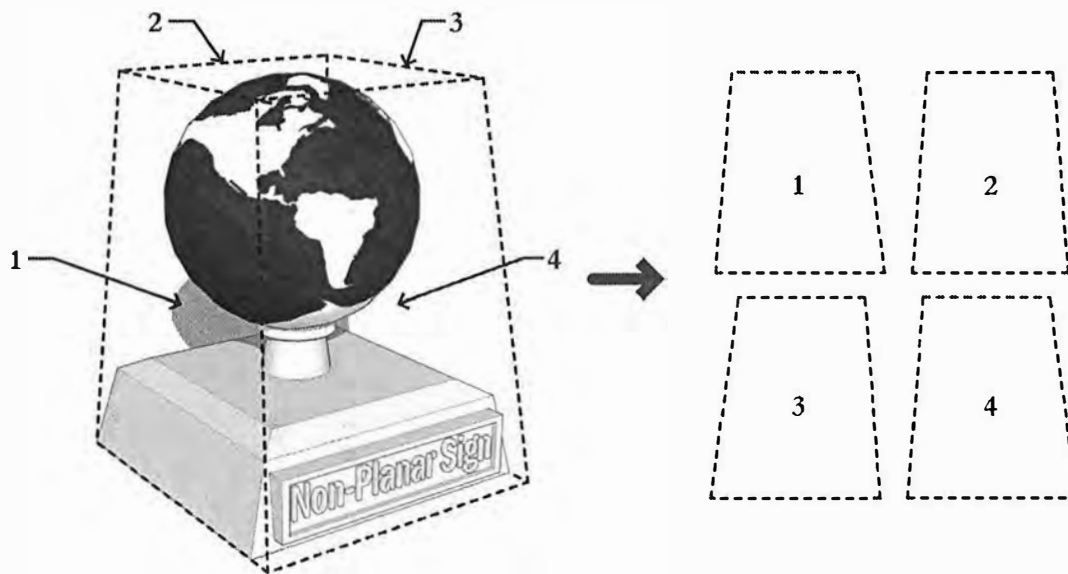


(c) Supporting framework or bracing that is clearly incidental to the display itself is not calculated as sign area.

(d) For projecting and other double-faced (back-to-back) signs with identical faces, only one display face is counted in the sign area measurement if the distance between each sign face does not exceed 36 inches and the two faces are parallel with each other.

(e) The area of spherical, free-form, sculptural, or other non-planar signs is measured as 50 percent of the sum of the area enclosed within the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. See Figure 17-3.

Figure 17-3: Non-planar sign area.



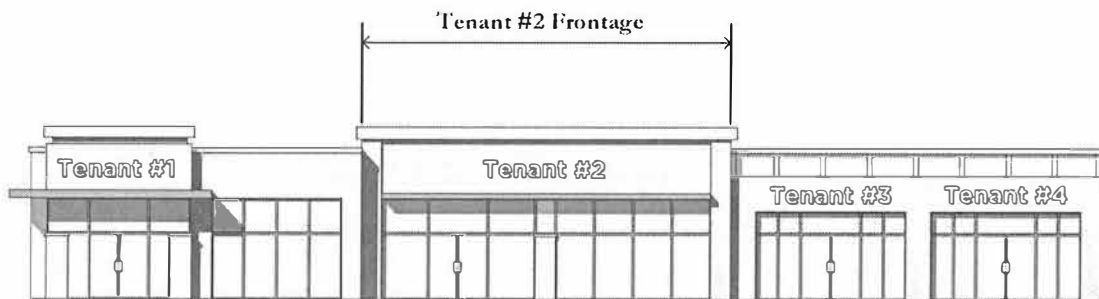
10-5.1706. Tenant frontage.

10-5.1706.1. General.

(a) Tenant frontage is the linear measurement of a tenant's building wall that abuts a street, parking lot that abuts a street, or pedestrian walkway. See Figure 17-4.

(b) Tenant frontage does not include building walls fronting an alley.

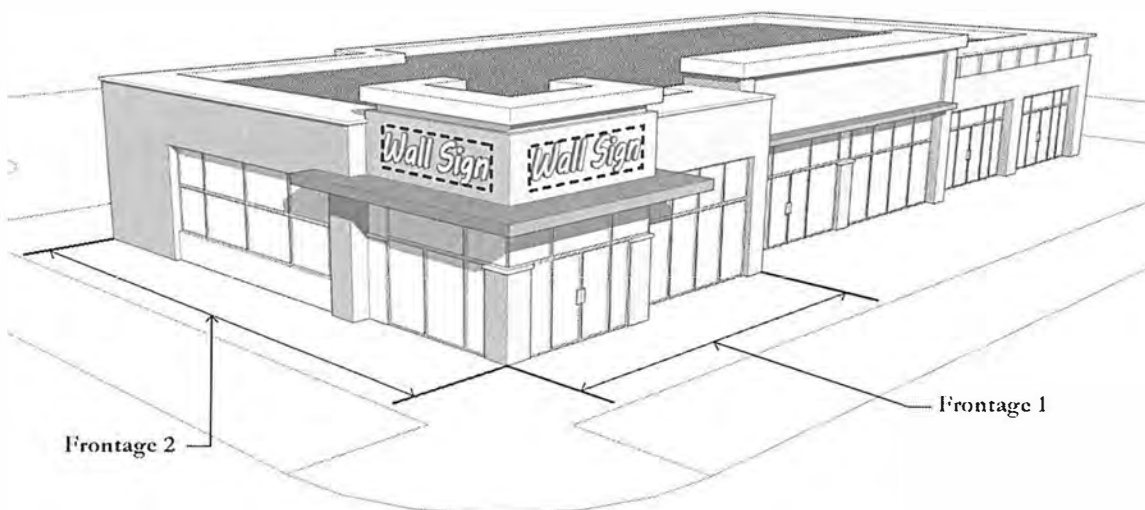
Figure 17-4: Tenant frontage.



10-5.1706.2. Corner and through lots.

(a) Where a tenant occupies a building that fronts on two streets (on a corner or through lot), allowed sign standards apply independently for each street frontage unless otherwise indicated in this section. See Figure 17-5.

Figure 17-5: Corner and through lots

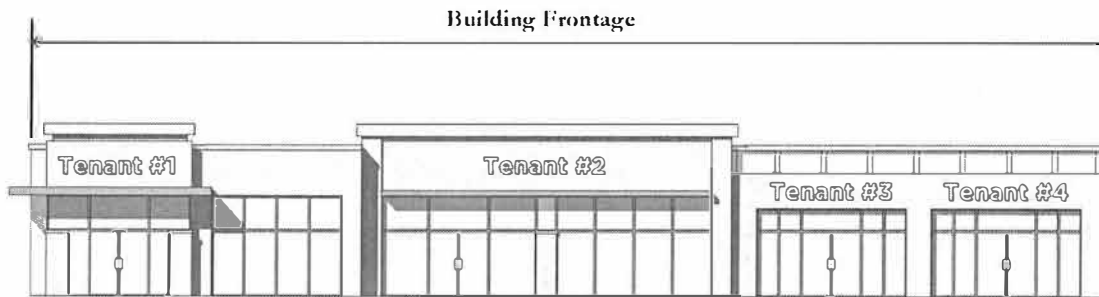


(b) For example, a corner tenant in the CS zoning district may install one wall sign on each street frontage. Allowed sign area applies individually to each frontage and may not be transferred between frontages.

10-5.1706.3. Building frontage.

Building frontage is measured in the same manner as tenant frontage, except calculated for the entire building, not individual tenants. See Figure 17-6.

Figure 17-6: Building frontage



10-5.1706.4. Detached sign height measurement.

The height of a freestanding, pole, monument or other type of detached sign is measured from the finished grade at the base of the sign to the top of the sign. See Figure 17-7.

Figure 17-7: Detached sign height



Sec. 10-5.1707. Sign permits.

10-5.1707.1. Types of sign permits.

The Zoning Code establishes three types of Sign Permits: Administrative Sign Permits, Master Sign Permits, and Creative Sign Permits.

(a) An Administrative Sign Permit is a ministerial approval by the Department to confirm that a proposed sign complies with all applicable standards.

(b) A Master Sign Permit is a discretionary permit reviewed by the Design Review Committee to allow for comprehensive and coordinated signs on large, complex, non-residential multi-tenant sites and to allow some deviation from sign standards as outlined in 10-5.1707.3.

(c) A Creative Sign Permit is a discretionary permit reviewed by the Design Review Committee to allow unique, high-quality signs that deviate from sign standards in this section.

10-5.1707.2. Administrative sign permits.

- (a) All new signs require an Administrative sign permit except for:
 - (i) Signs exempt from permit requirements as identified in 10-5.1703 (Signs allowed without sign permits);
 - (ii) Signs proposed concurrently as part of a Master Sign Permit application as identified in 10-5.1707.3 (Master sign permit); and
 - (iii) Signs that comply with the requirements of a Creative Sign Permit as identified in 10-5.1707.4 (Creative sign permit).
- (b) Permit requirements.
 - (i) Administrative sign permit applications must be submitted using an official Department form accompanied by all fees, information, and materials required by the Department.
 - (ii) Department staff will review the proposed sign to verify compliance with applicable standards. If the proposed sign complies with all applicable standards, the Department staff will approve the Administrative Sign Permit. No public notice or hearing is required.

10-5.1707.3. Master sign permit.

- (a) Purpose. The purpose of the Master Sign Permit is to provide a coordinated approach to signage for large sites/buildings and non-residential multi-tenant developments, buildings, or adjacent/adjoining properties/parcels.
- (b) Any site greater than one acre, any site with tenant spaces above the first floor, any site in a P Public or PF/M Public Facilities/Marina zone, or any non-residential development, building, or property with three or more tenants, may request approval of a Master Sign Permit.
- (c) The Design Review Committee reviews and takes action on Master Sign Permit applications.
- (d) Application Submittal and Review.
 - (i) Master Sign Permit applications must be submitted using an official Department form accompanied by all fees, information, and materials required by the Department.
 - (ii) Master Sign Permit applications must be authorized by the property owner/agent.
- (e) All Master Sign Permit applications must include a proposed Master Sign Program that identifies the placement, size, materials, type, and general design of signs located on a site, including both existing and proposed signs.
- (f) Design Standards.
 - (i) A Master Sign Program may allow for variety in the design of individual signs.
 - (ii) A Master Sign Program may not allow prohibited signs as identified in 10-5.1704 (Prohibited signs) or deviation from digital sign requirements in Table 17-10 (Digital signs).
 - (iii) A Master Sign Program may allow transfers of maximum sign areas in 10-

5.1708 (Sign standards) between tenants on a site. For example, on a site with ten tenants that each have 20-foot-wide frontages, each tenant would be allowed 20 square feet of pole signs. Through a standard Administrative Sign Permit, the area of each sign cannot be transferred from one tenant to another. However, through Design Review Committee approval of a Master Sign Permit, the collective total of 200 square feet of sign area for the entire site can be pooled and then re-allocated between tenants so that one tenant could have 101 square feet and the remaining tenants could each have 11 square feet of sign area.

(iv) A Master Sign Program may allow deviation from the type and total number of signs permitted per site in 10-5.1708 (Sign standards). For example, pole signs are limited to one pole sign per site with a standard Administrative Sign Permit. However, through a Master Sign Permit, the example in Paragraph (iii) above could have two or more pole signs if specifically allowed by the Master Sign Permit approval.

(v) Deviation from any other requirement in this section is not allowed.

(g) The Design Review Committee will review and act on a Master Sign Permit application at a public hearing noticed in compliance with 10-5.2808 (Public hearing notice).

(h) To approve a Master Sign Permit, the Design Review Committee must make all of the following findings:

(i) Allowed signs are consistent with the General Plan, Zoning Code, and any applicable specific plan or area plan adopted by the City Council;

(ii) The Master Sign Program features a unified and coordinated approach to the materials, size, type, placement, and general design of signs proposed for a project or property;

(iii) If deviations from sign standards in 10-5.1708 (Sign standards) are proposed, the deviations are necessary to accommodate the unique signage needs of the site;

(iv) Allowed signs comply with all applicable standards in this section, unless specific deviations are allowed by the Master Sign Program;

(v) The allowed signs will not adversely impact the public health, safety, or general welfare;

(vi) The allowed sign sizes are proportionate to the building and site where they are located; and

(vii) The number, placement, design, and material of the allowed signs are compatible with the architectural design of buildings on the site.

(i) As a part of the discretionary approval of a Master Sign Permit, the Design Review Committee may require modifications to the proposed Master Sign Program including limits on allowed sign types, height, area, dimensions, placement, materials, and other sign design features.

(j) Effect of Master Sign Program.

(i) All tenants and uses on the site are subject to the requirements of the approved Master Sign Program.

(ii) All subsequent signs proposed for a site subject to an approved Master Sign Program must comply with the standards and specifications included in the Master Sign Program.

(iii) Subsequent signs consistent with an approved Master Sign Program are

allowed with an Administrative Sign Permit.

(iv) Signs inconsistent with an approved Master Sign Program require either an amendment to the Master Sign Program or modification of the inconsistent signs.

(v) Approval of a Master Sign Program supersede the regulations of this section. Any aspect of the proposed signs not addressed by the Master Sign Program must comply with this section.

10-5.1707.4. Creative sign permit.

(a) A Creative Sign Permit allows for creative signs that deviate from sign standards in this section. Creative Sign Permits are intended to:

(i) Encourage signs of unique design, and that exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and

(ii) Allow for creative signs that deviate from the standards in this section while minimizing adverse impacts on neighboring properties and the community at large.

(b) A Creative sign is allowed for any type of sign in any location in Eureka, except for digital signs, which are allowed only in locations specified in Table 17-10 (Digital Signs).

(c) The Design Review Committee reviews and takes action on Creative Sign Permit applications.

(d) Creative Sign Permit applications must be submitted using an official Department form accompanied by all fees, information, and materials required by the Department.

(e) A Creative Sign Permit may allow deviation from standards in 10-5.1708 (Sign standards), excluding standards for digital signs (see Table 17-10) and marquee signs (see 10-5.1708.5). Deviation from any other requirement in this section is not allowed.

(f) The following sign design features are allowed only with a Creative Sign Permit:

(i) Signs which change color at a frequency of more than one color change per 15 seconds, except for digital signs consistent with Table 17-10 (Digital Signs).

(ii) Chase lighting.

(iii) Neon signs that change color or are animated. Neon signs that do not change color or utilize animation are allowed without a Creative Sign Permit.

(g) A digitally-printed sign may constitute no more than 40 percent of the total sign area of a sign approved with a Creative Sign Permit.

(h) The Design Review Committee will review and act on a Creative Sign Permit application at a noticed public hearing in compliance with application at a public hearing noticed in compliance with 10-5.2808 (Public hearing notice).

(i) To approve a Creative Sign Permit, the Design Review Committee must find that the sign meets all of the General Design criteria and incorporates three or more of the Sign Features, Materials, and Contextual Criteria, as provided below.

(i) General Design. The sign meets all of the following general design criteria:

A. The sign constitutes a substantial aesthetic improvement to the site and has a positive visual impact on the surrounding area;

B. The sign is of unique design, and exhibits a high degree of thoughtfulness, imagination, inventiveness, and spirit;

C. The sign is of a higher creative, artistic, and/or sculptural nature

than the average sign typically found in Eureka; and

D. The sign provides strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.

(ii) Sign Features, Materials, and Contextual Criteria. The sign incorporates three or more of the following:

A. Materials of a higher quality than typically used for signs in Eureka (e.g., stone, sculptural steel, sandblasted wood, gold leaf, hand-painted content with an artistic mural-like component).

B. Projecting, recessed, or cut-out text (e.g., push-through illuminated acrylic letters, routed letters, routed metal).

C. Creative and unique use of clearly-visible high-quality landscaping with an area greater than the minimum required for the sign or site, whichever is more.

D. Creative and unique use of lighting (e.g., chase, neon lighting, LED faux neon, a well-coordinated combination of at least three different types of site-appropriate illumination).

E. Clearly visible three-dimensionality where a notable proportion of the structure or form of the sign includes multiple deviations from a parallel plane (e.g., a sphere, a half-sphere, sculptural elements, a fully three-dimensional beer mug).

F. Sign design successfully emulates the architecture of the building (e.g., a sign with roof-like covering that matches the general design of the roof of the building it serves).

G. Highly irregular multi-dimensional sign shape (e.g., a sign that has at least five or more straight sides, a sign that has a few straight sides and multiple variable rounded sides, a sign with an unusually disproportionate height-to-width ratio).

H. At least 50 percent of the sign area includes custom artistic illustrations.

I. Sign shape includes inventive representation of the use, name, or logo of the structure or business (e.g., a fish-shaped sign for a fishing store).

J. Neon and/or LED faux neon signs that emulate movement but do not include chase lighting.

K. Mechanically-animated element(s).

L. Symbols or imagery relating to timber, commercial fishing, coastal land uses, arts/culture, other factors inherent to Eureka's identity, or to Eureka's current or historic character.

(j) As a part of the discretionary approval of a Creative Sign Permit, the Design Review Committee may require modifications to the proposed Creative Sign including limits on allowed sign types, area, dimensions, placement, materials, and other sign design features.

10-5.1707.5. Encroachment permit.

Any sign which projects into the public right-of-way requires approval of an Encroachment Permit.

10-5.1707.6. City-installed or required signs.

Signs installed or required by the City do not require a permit, except as provided by Sec. 10-5.1707.7.(a).

10-5.1707.7. Signs in the Coastal Zone.

(a) In addition to any other permits required by this Article, signs located in the coastal zone are subject to the requirement to obtain a coastal development permit as provided in Sections 10-5.29300 through 10-5.29400 of Article 29 (Coastal Development Permit Procedures).

(b) Approval of a Creative or Master sign permit for a sign located in the coastal zone must be found consistent with the certified Local Coastal Program.

(c) When a Creative or Master sign permit and a coastal development permit are required pursuant to Article 29, action will be taken by the Planning Commission.

(d) New signs will be sited to (1) avoid and minimize obstruction of scenic views and scenic coastal areas as defined in Sec. 10-5.2944.1 (Scenic Coastal Areas), and (2) protect the scenic and visual qualities of coastal areas.

Sec. 10-5.1708. Sign standards.

10-5.1708.1. Sign type standards.

(a) All signs must comply with the sign type standards in Tables 17-1 through 17-10 unless deviations are allowed through a Master Sign Permit (10-5.1707.3) or Creative Sign Permit (10-5.1707.4).

(b) Maximum sign standards in Tables 17-2 through 17-10 apply to individual signs, not all signs combined on a property, unless otherwise noted in the tables.

(c) If a proposed sign type is not specifically listed in Tables 17-1 through 17-10, the sign will be regulated in the same manner as the most similar listed sign type as determined by the Director.

Table 17-1: Sign standards for CP Planned Shopping Center Commercial District

Illumination: Both internal and external illumination is allowed, but signs must comply with the illumination standards for the corresponding sign type in Tables 17-2 through 17-10. See 10-5.1709.8.

Sign Type	Max No.	CP Zone District		
		Max Total Area of all Signs in CP Zone [1]	Max Sign Size	Max Height/Projection
Pole Sign	2 at Broadway frontage	7,000 sq. ft.	100 sq. ft	24 ft.
Pole Sign -North Entry	1		800 sq. ft.	65 ft.
Pole Sign – South Entry	1		300 sq. ft.	32 ft.
Wall Sign	1 per tenant frontage		See [2]	Roof line or parapet of building to which sign is attached.
Monument Sign	3 at Broadway frontage		30 sq. ft.	12 ft.
Digital Sign [3]			See [2]	See [3]
Projecting/Suspended Sign	No max.		See[2]	6 inches
Awning/Canopy Sign	No max.		See [2]	Awning Height of awning area Canopy Height of canopy fascia; 4 ft. for signs atop canopy

Notes:

[1] The total square footage of all signs in the CP zone district may not exceed 7,000 sq. ft.

[2] The size of individual tenant signs is determined by the Bayshore Mall.

[3] Digital signs must comply with the Standards in Table 17-10.

Table 17-2: Wall signs

Definition: A wall sign is a sign attached to, or painted on, the exterior wall of a structure, with the display surface of the sign approximately parallel to the building wall. Wall signs include signs attached to, but not extending above, a fascia, parapet, or mansard roof.

Materials:

- Unless painted on a wall, wall signs must be constructed of durable, rigid material such as wood, plastic, or metal.
- Permanent wall signs constructed of flexible, non-rigid material (e.g., cloth, flexible vinyl) are not permitted.
- Wall signs may be painted directly on a building wall.

Illumination:

- In non-residential zoning districts: Both external and internal illumination is allowed.
- In residential zoning districts: Only external illumination is allowed.
- See 10-5.1709.8.

Figure 17-8: Wall signs



Standards [1]	Zone District		
	CN, CW, OR	CS, MC, MG, ML	Non-residential uses in all Residential zones
Max. number	2 per tenant frontage		1 per building frontage
Max. area [2]	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 32 sq. ft. per tenant frontage	1.0 sq. ft. per linear foot of tenant frontage (no maximum)	24 sq. ft.
Max. height	Roof line or parapet of building to which sign is attached.		
Max. projection from building wall	6 inches		
<u>Notes:</u> [1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings). [2] Maximum area applies to all wall signs combined on a tenant frontage.			

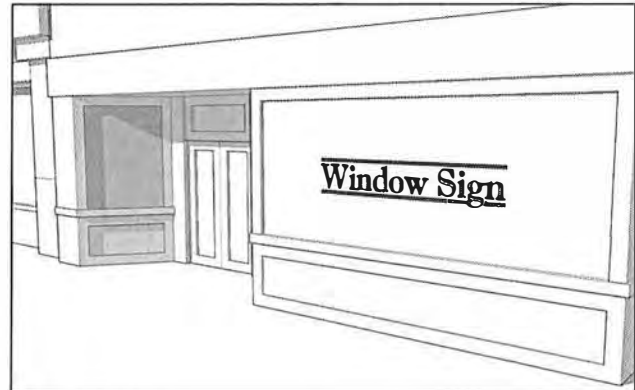
Table 17-3: Window signs, non-illuminated

Definition: A sign posted, painted, placed, or affixed in or on a window exposed to public view (including windows on upper floors). Any sign attached to a window, within two feet of a window, or attached to a display located within two feet of a window is considered a window sign.

Window Transparency:

For each individual window, a minimum of 75 percent of the total window area must be transparent and free of signage features. Window area is measured from interior of trim to interior of trim, including mullions, muntins, and other separations of panes of glass.

Figure 17-9: Window signs



Standard [1]	Zone District		
	CN, CW, OR	CS, MC, MG, ML	Non-residential uses in all Residential zones
Max. number	No max.		
Max. area [2]	25 percent of total tenant frontage window area	50 percent of total tenant frontage window area	25 percent of the total window area of each individual window
Max. height	No max.		
<u>Notes:</u> [1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings). [2] Maximum area applies to all window signs combined on a tenant frontage.			

Table 17-4: Window signs, internally illuminated

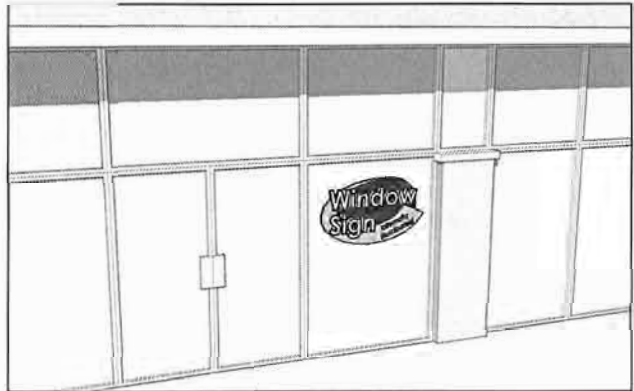
Definition: A sign placed in a window with individually illuminated letters, numbers, or graphics not exceeding 12 square feet. Includes illuminated “open” signs and signs illuminated with LEDs, neon, or other fluorescing gas.

Additional Requirements:
illuminated

Figure 17-10: Window signs, internally

Animated window signs require a Creative Sign Permit.

- Digital signs are not allowed as a window sign.
- The window transparency requirement in Table 17-3 applies to internally illuminated window signs.



Standard [1]	Zone District	
	CN, CW, OR	CS, MC, MG, ML
Max. number	2 per tenant frontage	
Max. area [2]	25 percent of total tenant frontage window area	50 percent of total tenant frontage window area
Max. height	No max.	
<u>Note:</u> [1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings). [2] Maximum area applies to all window signs combined on a tenant frontage.		

Table 17-5: Projecting and suspended signs

Definition: A sign permanently attached to a building or wall such that the sign face or faces are perpendicular to the building or wall. Includes blade signs suspended under a bracket, armature, or other mounting device.

Vertical and horizontal clearance: **Figure 17-11: Projecting and suspended signs**

- See 10-5.1709.9 (Vertical and horizontal clearance)

Illumination:

- Internal or external illumination allowed. See 10-5.1709.8.



	Zone District	
Standard [1]	CN, CW, OR	CS, MC, MG, ML
Max. number	1 per tenant frontage	
Max. area	18 sq. ft. per tenant frontage	24 sq. ft. per tenant frontage
Max. height	Height of building to which it is attached	
Maximum projection from building wall	8 ft.	
<u>Notes:</u> [1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings). [2] The Building Code may require a projection less than eight feet		

Table 17-6: Awning/Canopy signs

Definition: An awning sign is incorporated into, attached to, or painted on the face or valance of an awning. A canopy sign is attached to a fixed overhead shelter used as a roof.

Figure 17-12: Awning signs



Figure 17-13: Canopy signs



Placement: Awnings and canopies with signs may only be mounted on the wall area below the second floor.

Vertical and horizontal clearance: See 10-5.1709.9 (Vertical and horizontal clearance)

Materials: Awnings must be constructed of durable, long-lasting fabric. Plastic or vinyl material is not permitted.

Awnings/Canopies without sign copy: Awnings and canopies without lettering or sign copy are not regulated as signs.

Illumination: Internal or external illumination of canopy signs is allowed. See 10-5.1709.8.

Standard	Zone District	
	CN, CW, ML, OR	CS, MC, MG
Max. number	No max.	
Max. area	25 sq. ft. or area of awning or canopy fascia, whichever is less	35 sq. ft. or area of awning or canopy fascia, whichever is less
Max. height (awning signs)	Height of awning area	
Max. height (canopy signs)	Height of canopy fascia; 3 ft. for signs atop canopy	Height of canopy fascia; 4 ft. for signs atop canopy
Max. width	The building wall to which it is attached or the tenant space it identifies	
Maximum projection from building wall	No max.	
<u>Note:</u> Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).		

Table 17-7: Roof signs

Definition: A sign erected above a roof and/or the parapet of a building. Signs attached to the side of a mansard roof are not considered roof signs. The definition of roof signs does not include signs attached to a building wall or other horizontal building element.

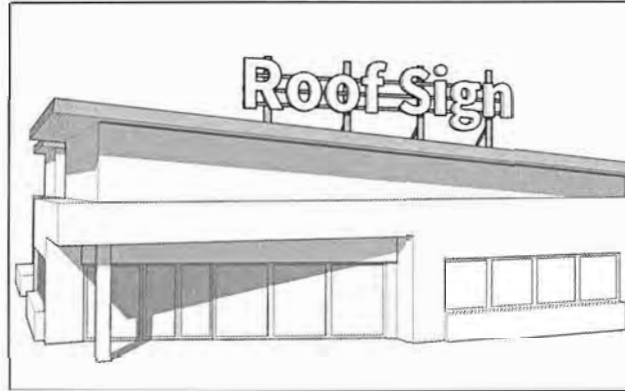
Design:

Roof signs must consist of individually-formed letters and associated graphics without a solid background. A box sign is not allowed as a roof sign.

Illumination: Internal or external illumination allowed. Internally illuminated signs are permitted only when the portion of the sign that appears illuminated is primarily the sign lettering, registered trademark, or logo. See 10-5.1709.8.

Digital signs: Digital signs are not allowed as a roof sign.

Figure 17-14: Roof signs



Standards [1]	Zone District
	CS, MG, ML
Max. number	1 roof sign per building
Max. area	1.0 sq. ft. per linear foot of total tenant frontage to a maximum of 100 sq. ft.
Max. height [2]	16 ft. above top of building
Notes: [1] Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings). [2] A roof sign may not exceed the maximum height allowed for the main structure (see 10-5.201).	

Table 17-8: Monument signs

Definition: A monument sign is a sign detached from a building and supported on the ground by one or more structural elements that are one-quarter or more of the width of the sign face. Internal supports, poles, or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view. Includes signs where supporting structural elements are architecturally dissimilar to the design of the sign. Excludes “pole signs.”

Monument and pole signs:

A monument sign is not allowed on a site that also contains a pole sign.

Ground support and placement: See 10-5.1709.10 (Detached sign ground support and placement).

Illumination:

- Internal or external illumination allowed. See 10-5.1709.8.

Figure 17-15: Monument signs



Standard	Zone District	
	CN, CW, NR, OR	CS, MC, MG, ML
Max. number	1 per site	1 per site
Max. area	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 32 sq. ft. per tenant; maximum of 64 sq. ft. for multi-tenant signs	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 50 sq. ft. per tenant; maximum of 150 sq. ft. for multi-tenant signs
Max. height	8 ft.	12 ft.
Max. width	No max.	
<u>Note:</u> Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).		

Table 17-9: Pole signs

Definition: A sign detached from a building and supported on the ground by one or more structural elements that are less than one-quarter the width of the sign face.

Where allowed:

- New pole signs are allowed in the CS, MC, MG, and ML zone districts.
- Pole signs existing in other zone districts as of [add date ordinance is certified by Coastal Commission] may remain.

Pole and monument signs.

A pole sign is not allowed on a site that also contains a monument sign.

Ground support and placement: See 10-5.1709.10 (Detached sign ground support and placement).

Landscaping: Pole signs must be placed in a planter box or other landscaped area, with the area of the landscaping a minimum of 15 square feet or one-half of the surface area of the sign, whichever is greater.

Illumination:

- Internal or external illumination allowed. See 10-5.1709.8.

Figure 17-16: Pole signs



Standard	CS, MC, MG, ML Zone Districts
Max. number	1 per site
Max. area	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 50 sq. ft. per tenant; maximum of 150 sq. ft. for multi-tenant signs
Max. height	24 ft.
Horizontal clearance	See 10-5.1709.9 (Vertical and horizontal clearance)
Max. width	No max.
<u>Note:</u> Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).	

Table 17-10: Digital signs

Definition: A sign that displays a visual image using liquid crystal cells or other types of light emitting diodes (LEDs), or their functional equivalent, where the image can be easily changed, typically by remote control or computer programming. Also known as Electronic Message Center (EMC) signs. Excludes fuel price signs and internally illuminated window signs.

Where allowed:

- In the CS Service Commercial zone district, only on properties fronting Broadway, CP Planned Shopping Center zone district, MG General Industrial zone district, and ML Limited Industrial zone district.

Sign type: Digital signs are permitted only when incorporated into a monument sign, wall sign, or pole sign that also includes additional non-digital sign copy.

Off-premise signs prohibited: Digital signs may not be used as an off-premise sign, or for any form of off-site advertising.

Design:

- A digital sign must be incorporated into the face of a permanent sign that includes text or graphics that are not part of the digital display.
- If a digital sign is located at the top of a sign, the sign must include a substantial cap feature above the digital display, which consists of the same or complementary material, form, and color as used on the sign face or structure.

Standard	CP, CS, MG, ML Zone Districts
Max. number	1 per site
Max. frequency of message display change	15 sec.
Max. height	Established by the sign type into which the digital sign is incorporated.
Max. percentage of sign area containing digital display	66 percent of total allowable sign area of the sign type into which the digital sign is incorporated to a maximum of 100 sq. ft
Max. width	No max.

Message display:

- Digital signs may contain static messages only. Signs may not display text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
- Digital signs may not change message more than once every 15 seconds.
- The content of a digital sign must transition by changing instantly (e.g., no fade-out or fade-in).
- Ticker Signs are prohibited.

Figure 17-17: Digital signs

Brightness:

- During daylight hours between sunrise and sunset, luminance is limited to 10,000 nits.
- At all other times, luminance is limited to 500 nits.
- Digital signs may produce no more than 0.3 foot-candle of light when measured from the distance using the following formula:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign Sq.Ft.} \times 100}$$

- Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change.

10-5.1708.3. Multi-story buildings.

Standards for signs in Tables 17-2 through 17-10 apply only to ground floor tenants and uses. Signs for tenants and uses located above the ground floor are allowed only with a Master Sign Permit that establishes sign standards for the site. See 10-5.1707.3 (Master sign permits).

10-5.1708.4. Public and Public Facilities/Marina zone districts.

In the Public (P) and Public Facilities/Marina (PF/M) zone districts:

(a) The Director will determine the allowed sign types and size based on the signage needs of the associated uses.

(b) A Master sign permit (Sec. 10-5.1707.3) is required.

10-5.1708.5. Marquee signs.

(a) A marquee sign is allowed with a Creative Sign Permit and must satisfy all of the requirements of that permit. The Design Review Committee will determine the maximum allowed sign area, height, dimensions, and other standards as part of the Design Review approval process.

(b) Marquee signs are limited to theaters, auditoriums, indoor amusement/entertainment facilities, and similar facilities. A maximum of one marquee sign is allowed per use.

(c) Digital display is allowed only for marquee sign copy that advertises films, performances, and other events. Use of digital display to advertise goods and services is not allowed. Digital display may change no more than once a day. Digital display must comply with the brightness limitation in Table 17-10 (Digital signs).

10-5.1708.6. Sandwich Board Signs.

(a) Sandwich board signs on private property are exempt from the requirements of this section (see 10-5.1703).

(b) Sandwich board signs within the public right of way must comply with the following standards:

- (i) Signs may only be located in mixed use zones.
- (ii) Signs must be constructed of durable materials and in such a manner as not to present a hazard to pedestrian movement.
- (iii) A sign may not exceed 30 inches in width and 48 inches in height.
- (iv) Signs must be weighted at the base so as to provide a stable and secure sign.
- (v) Signs must be placed so as to allow for a minimum of 48 inches pedestrian path of travel clearance between obstacles.

- (vi) Signs may not conflict with utilities or parking meters, public parking or traffic sight distance at street or alley intersections, and may not block entrances or exits.
- (vii) Signs are limited to one sign per business, and must be placed on the sidewalk that fronts the business.
- (viii) Digital signs are not allowed as a sandwich board sign. See Table 17-10 (Digital signs).
- (ix) Signs in the public right-of-way must acquire an encroachment permit.

Sec. 10-5.1709. General requirements

10-5.1709.1. Message neutrality.

(a) It is the City's policy to regulate signs in a constitutional manner that does not favor commercial speech over noncommercial speech, and is content neutral as to noncommercial messages which are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution.

(b) Where necessary, the Director will interpret the meaning and applicability of this section in light of this message neutrality policy. Under no circumstances will this message neutrality policy be interpreted to allow off-premise signs. See 10-5.1709.11 (Off-premise signs).

10-5.1709.2. Message substitution.

(a) Subject to the property owner's consent, a message of any type may be substituted, in whole or in part, for the message displayed on any legally established sign without consideration of message content.

(b) Message substitutions require a zoning permit pursuant to Article 26 Zoning Permits and Certificates of Occupancy.

(c) This message substitution provision does not:

- (i) Create a right to increase the total amount of signage beyond that otherwise allowed or existing;
- (ii) Affect the requirement that a sign structure or mounting device be properly permitted, when a permit requirement applies;
- (iii) Allow a change in the physical structure of a sign or its mounting device;
- (iv) Allow the establishment of a prohibited sign as identified in 10-5.1704 (Prohibited signs); or
- (v) Nullify or eliminate any contractual obligation through a development agreement or similar agreement that specifies the allowable content of a sign.

10-5.1709.3. Maximum number of sign types.

No more than three different types of signs are allowed on a site without approval of a Master Sign Permit (see 10-5.1707.3)

10-5.1709.4. Changes to sign face.

Changes to a sign face that do not structurally alter or enlarge a legally-established sign require a zoning permit pursuant to Article 26 Zoning Permits and Certificates of Occupancy.

10-5.1709.5. Maintenance.

(a) All signs and supporting hardware, including temporary signs, must be maintained in a state of good repair at all times.

(b) Any repair to a sign must be of equal or better quality of materials and design as the original sign.

(c) A sign that is not properly maintained or is dilapidated will be deemed a public nuisance, and may be abated in compliance with Article 28 (Administration and enforcement) and Municipal Code Section 10.35 et seq. (Administrative citations). Examples of dilapidated signs include the following:

(i) Signs with rust covering 25 percent or more of a pole or other support structures.

(ii) Signs with peeling paint visible on 25 percent or more of the sign or support structure.

(iii) Signs and support structures with visible physical damage that significantly alters the sign's appearance.

(iv) Signs with malfunctioning or damaged lighting.

(v) Illegible sign copy resulting from damage to the sign.

(vi) Signs and supporting elements that no longer contain a sign face or copy. Includes box signs without a slide-in sign copy panel, projecting sign brackets without an attached sign face, and stand-alone poles without an attached sign face.

(vii) Other similar conditions as determined by the Director.

10-5.1709.6. Building surface repair.

When an existing sign is replaced, removed, or modified, any newly exposed portions of a building surface on which the sign is or was displayed must be repaired and repainted to restore a uniform appearance to the surface. Compliance with this requirement includes the removal of any excess conduit and supports, and the patching or filling of any exposed holes.

10-5.1709.7. Materials. Except for interior window signs, all permanent signs must be constructed of wood, metal, plastic, glass, or similar durable and weatherproof material.

10-5.1709.8. Illumination.

(a) Signs in non-residential zoning districts may be internally or externally illuminated except where specifically prohibited.

(b) Signs in residential zoning districts may only be externally illuminated.

(c) Light sources must be steady, stationary, and static in color, except for neon signs and chase lighting when allowed with a Creative Sign Permit.

(d) Lighting may not produce glare that creates a public nuisance or hazard for motorists or pedestrian.

(e) The light source for externally illuminated signs must be positioned so that light does not shine directly on adjoining properties, and for signs located in the Coastal Zone, any environmentally sensitive habitat area or wetlands.

(f) Exposed bulbs, with or without chase lighting, are permitted with a Creative Sign Permit.

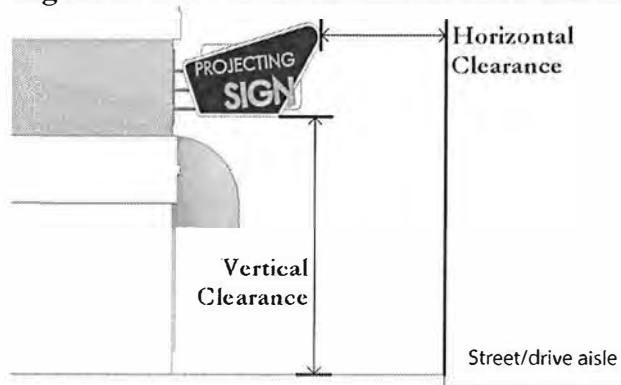
(g) Design features consisting of neon or other small diameter tubing illuminated by fluorescing gas is allowed as part of any type of sign.

10-5.1709.9. Vertical and horizontal clearance.

(a) Signs that project over any public walkway or walk area must have an overhead clearance of at least eight feet and require an Encroachment Permit. See Figure 17-18.

(b) Signs must maintain a minimum two-foot horizontal clearance from a driveway or street curb. See Figure 17-18.

Figure 17-18: Vertical and horizontal clearance.



10-5.1709.10. Detached sign ground support and placement.

(a) Detached signs must be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme.

(b) A detached sign may not occupy an area designated for parking, loading, walkways, driveways, fire lane, easement, traffic portion of the right-of-way or other areas required to remain unobstructed.

10-5.1709.11. Off-premise signs.

(a) New off-premise signs established on or after [add date ordinance certified by Coastal Commission] are prohibited.

(b) Off-premise signs with a sign area of 50 square feet or less that were legally established prior to [add date ordinance certified by Coastal Commission] may remain and must comply with all applicable regulations in this section.

(c) Off-premise signs with a sign area more than 50 square feet that were legally established prior to [add date ordinance certified by Coastal Commission] are considered non-conforming signs and are subject to the provisions of Article 22 (Nonconforming Uses, Structures, and Signs).

10-5.1709.12. Nonconforming signs.

See Article 22 of this chapter (Nonconforming Uses, Structures, and Signs).

10-5.1709.13. Violations and enforcement.

See Article 28 of this chapter (Administration and Enforcement) for the procedure to remove hazardous and illegal signs.

Sec. 10-5.1710. Temporary signs.

Temporary signs are allowed in all zoning districts subject to this subsection.

10-5.1710.1. Temporary sign defined.

(a) A temporary sign means a sign intended to be displayed for a limited period of time.
(b) The following types of signs are always considered temporary and allowed only as a temporary sign:

- (i) Banner signs.
- (ii) Feather banners.
- (iii) Yard signs.
- (iv) Inflatable balloon signs.
- (v) Post signs on a residential property (e.g., for-sale signs).

10-5.1710.2. Allowed by-right.

Temporary signs that comply with this subsection are allowed by-right without a zoning permit or other form of Department approval, except as provided by Sec. 10-5.1707.7.(a).

10-5.1710.3. Prohibited signs.

Temporary signs must comply with Subsection 10-5.1704 (Prohibited signs).

10-5.1710.4. Maximum area.

Temporary signs may not exceed the maximum sign area shown in Table 17-11.

Table 17-11: Maximum temporary sign area

Zoning District	Maximum Area
CN, CW, OR	25 sq. ft. per tenant, business, or land use
CS, MC, MG, ML	
Tenants with less than 50 ft. of tenant frontage	25 sq. ft. per tenant, business, or land use
Tenants with 50 ft. or more of tenant frontage	0.5 sq. ft. per linear foot of building frontage to a maximum of 100 sq. ft.
All Other Zoning Districts and residential uses in mixed use zone districts	25 sq. ft. per site

10-5.1710.5. Illumination.

Illumination of temporary signs is prohibited.

10-5.1710.6. Duration.

- (a) Temporary signs may be displayed for the maximum duration shown in Table 17-12.
- (b) A sign displayed longer than allowed by Table 17-12 is considered a permanent sign subject to all applicable requirements in this section.

Table 17-12: Temporary sign duration.

Type of Temporary Sign	Maximum Duration
Yard signs	90 days
Post signs	180 days
All other temporary signs	60 days per year

Sec. 10-5.1711. Definitions.

10-5.1711.1

- (a) "Feather Banner" shall mean a temporary sign in the form of a vertical banner made of flexible materials, (e.g., cloth, paper, or plastic), the longer dimension of which is typically attached to a pole or rod that is driven into the ground or supported by an individual stand.
- (b) "Flag" or "flags" shall mean fabric, textile, or material with colors and/or patterns which display a symbol of a nation, state, company, or idea.

10-5.1711.2

- (a) "Outdoor advertising structure" shall mean a structure of any kind or character, erected or maintained for outdoor advertising purposes, upon which any advertising sign may be placed.

10-5.1711.3

- (a) "Sign" shall mean any structure, object, or device that uses letters, numbers, graphics, colors or other means of communication to advertise, announce, or communicate information of any kind to the public.
- (b) "Sign, Animated" shall mean a sign which physically moves, rotates, revolves or has visibly moving or rotating parts of any kind.
- (c) "Sign, Awning" shall mean a sign incorporated into, attached to, or painted on the face or valance of an awning.
- (d) "Sign, Banner" shall mean a temporary sign made of flexible vinyl, fabric, or any non-rigid material with no enclosing framework on which a message or image is painted or otherwise affixed.
- (e) "Sign, Box" shall mean a sign that contains all copy within a single enclosed cabinet that is mounted to a wall or other structure. Box signs, also referred to as can signs, typically use slide-in panels to display messages.

- (f) “Sign, Canopy” shall mean a sign attached to a fixed overhead shelter used as a roof, which may or may not be attached to a building.
- (g) “Sign Copy” shall mean the area of a sign occupied by letters, numbers, graphics, or other content intended to communicate information.
- (h) “Sign, Detached” shall mean any pole sign, monument sign, or other types of sign not attached to a building.
- (i) “Signs, Digital” shall mean a sign that displays a visual image using liquid crystal cells or other types of light emitting diodes (LEDs) or their functional equivalent where the image can be easily changed, typically by remote control or computer programming. Also known as Electronic Message Center (EMC) signs. Excludes fuel price signs and internally illuminated window signs.
- (j) “Sign, Digitally Printed” shall mean any of the following:
- (i) A sign where the entire sign copy is digitally printed onto wood, aluminum or other material and then trimmed as needed to complete the sign.
 - (ii) A sign where the entire sign copy is digitally printed onto an adhesive material which is attached to a plastic panel and inserted into a box sign cabinet.
 - (iii) A sign where a single material is used for the sign copy and sign face (e.g., a pan face sign with an injected molded plastic).
- (k) “Signs, Directional” shall mean a sign that provides directions to a place, structure, or use, excluding signs installed by a public agency.
- (l) “Sign, Directory” shall mean a sign which lists and identifies the location of the occupants of a multi-tenant building or site. Excludes “property identification signs.”
- (m) “Sign Face” shall mean the area of a sign where sign copy is placed.
- (n) “Sign, Inflatable Balloon” shall mean a temporary sign consisting of a flexible envelope of nonporous materials that gains its shape from inserted air or other gas.
- (o) “Signs, Human Directional and Advertising” shall mean a sign that is held by or attached to a human being in any manner. Includes individuals dressed in costume intended to attract attention as human signs to a business for advertising purposes.
- (p) “Sign, Internally Illuminated Window” shall mean a sign placed in a window with individually illuminated letter, numbers, or graphic not exceeding 12 square feet. Includes illuminated “open” signs and signs illuminated with LEDs, neon, or other fluorescing gas.
- (q) “Sign, Marquee” shall mean a sign with changeable copy that advertises an event, performance, seminar, conference, or show.
- (r) “Sign, Marquee, Attached” shall mean a marquee sign displayed on a permanent roof-like structure or canopy made of rigid materials supported by and extending from the facade of a building.
- (s) “Sign, Marquee, Detached” shall mean a freestanding marquee sign not attached to a

building.

- (t) “Sign, Monument” shall mean a sign detached from a building and supported on the ground by one or more structural elements that are one-quarter or more of the width of the sign face. Internal supports, poles or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view. Includes signs where supporting structural elements are architecturally dissimilar to the design of the sign. Excludes “pole signs.”
- (u) “Sign, Neon” shall mean a sign that features exposed small diameter tubing illuminated by neon or other fluorescing gas. Excludes signs with LEDs intended to simulate the appearance of neon and “internally illuminated window signs.”
- (v) “Sign, Off-Premise” shall mean a sign advertising a land use, business, product, or service not located or available on the site where the sign is located.
- (w) “Sign, Pole” shall mean a sign detached from a building and supported on the ground by one or more structural elements that are less than one-quarter the width of the sign face. Monument signs with supporting poles where the poles are incased to incorporate design features are not considered pole signs.
- (x) “Sign, Post” shall mean a temporary sign suspended from a horizontal swingpost or bracket that is attached to a vertical post mounted in the ground. Includes on-site real estate sales and rental signs.
- (y) “Sign, Projecting” shall mean a sign permanently attached to a building or wall such that the sign face or faces are perpendicular to the building or wall. Includes blade signs suspended under a bracket, armature, or other mounting device.
- (z) “Sign, Roof” shall mean a sign erected upon or directly above a roof and the parapet of a building.
- (aa) “Sign, Sandwich Board” shall mean a portable sign with two opposing flat faces designed to be self-supporting on the ground, typically displayed on a sidewalk or in a parking lot.
- (ab) “Sign, Suspended” shall mean a sign which is suspended under an awning, canopy, fascia or similar structure. Includes signs oriented parallel to the building façade suspended over a recessed entry.
- (ac) “Sign, Ticker” shall mean an electronic reader board sign consisting of one or more lines of scrolling LED text.
- (ad) “Sign, Wall” shall mean a sign attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall. Includes signs attached to but not extending above a fascia or parapet.
- (ae) “Sign, Window” shall mean a sign posted, painted, placed, or affixed in or on a window exposed to public view. Any sign attached to a window, within two feet of a window, or attached to a display located within two feet of a window is considered a window sign.
- (af) “Sign, Yard” shall mean a temporary freestanding sign with an “H”-shaped frame inserted into the ground within a street-facing yard. Includes political campaign signs displayed

prior to elections.

Section 2.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.106. Definitions. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.106.2.

(a) Reserved.

Section 3.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.106. Definitions. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.106.6

(d) Reserved.

Section 4.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.106. Definitions. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.106.11

(f) Reserved.

Section 5.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.106. Definitions. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.106.13.

(a) “Sign” see Article 17.

(b) Reserved.

(c) Reserved.

Section 6.

Eureka Municipal Code Title 10 Chapter 5 Article 18. Site Plan Review and Architectural Review Sec. 10-5.1801. Purposes. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.1801.2. Architectural review. In order to prevent the erection of structures that would be inharmonious with their surroundings or would have an adverse effect on the value of property

or improvements in the vicinity, uses and structures in the Design Review, -AR and -PD Districts and conditional uses in all districts shall be subject to architectural review by the Design Review Committee. The ugly, the inharmonious, the monotonous, and the hazardous shall be barred, but originality in architecture, site planning, and landscape and graphic design shall not be suppressed. Review shall include exterior design, materials, textures, and colors but shall not consider elements of the design that do not affect exterior appearance. In reviewing proposals for development that have an established historical character, the Design Review Committee shall recommend disapproval of drawings for a structure that would be inharmonious with surrounding development, but the Committee shall not require that new structures duplicate an historic architectural style as a condition of approval.

Section 7.

The following Section is hereby added to Eureka Municipal Code Title 10 Chapter 5 Article 18. Site Plan Review and Architectural Review Sec. 10-5.1801. Purposes:

10-5.1801.3. Signs. The Design Review Committee shall review and act on applications for signs as required by Article 17. (Signs).

Section 8.

Eureka Municipal Code Title 10 Chapter 5 Article 18. Site Plan Review and Architectural Review Sec. 10-5.1804. Drawings to be submitted. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.1804.2. Architectural review. In addition to the drawings required by subsections (a), (b), and (d) of Section 10-5.1804.1 of this article, the owner of the site or his authorized agent shall submit the following drawings to the Director of Planning at the time of or prior to applying for a zoning permit: (a) Architectural drawings or sketches, drawn to scale, showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified; (b) Signs pursuant to Article 17. (Signs), if any; and (c) The Design Review Committee or the Director of Planning may require additional information if necessary to determine whether the purposes of this article are being carried out or may authorize the omission of any or all of the drawings required by this section if they are not necessary.

Section 9.

Eureka Municipal Code Title 10 Chapter 5 Article 22. Nonconforming Uses, Structures, and Signs is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

Sec. 10-5.2202. Continuation and maintenance.

(c) A nonconforming sign may continue its use as a sign if it was legally established in compliance with all applicable regulations in effect at the time the sign was installed. It is the applicant's responsibility to demonstrate that the sign was legally established.

(d) Routine maintenance and repairs may be performed on a structure or site the use of which is nonconforming, on a nonconforming structure, and on a nonconforming sign. Changes to sign copy/face and repainting of legal nonconforming signs is permitted as long as there is no alteration to the physical structure or support elements of the sign. A legal-nonconforming sign that sustains less than 50-percent damage to its structure may be repaired to its original pre-damaged condition, provided that such repair is completed within 180 days after the date of the damage.

Section 10.

Eureka Municipal Code Title 10 Chapter 5 Article 26. Zoning Permits and Certificates of Occupancy is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

Sec. 10-5.2601. Purposes and requirements.

(b) To ensure that each new sign subject to architectural review or requiring a permit pursuant to Article 17. (Signs), and each enlargement or change in the design, lighting, or movement of a sign subject to architectural review or requiring a permit pursuant to Article 17. (Signs), complies with all the applicable provisions of this chapter, a zoning permit shall be required before the sign may be displayed or altered or before a permit required by Article 17. (Signs) may be issued.

Section 11.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures• Part 1. General Provisions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

Sec. 10-5.2904. Interpretation. In their interpretation and application, the provisions of this article shall be held to be minimum requirements. No provision of this article is intended to repeal, abrogate, annul, impair, or interfere with any provision of this Code; provided, however, where the provisions of this article impose a greater restriction on the use of land or structures, or the height or bulk of structures, or require greater open spaces about structures, or greater areas or dimensions of sites, or impose a greater restriction on the location, size, or illumination of signs than is imposed or required by other provisions of this Code, the provisions of this article shall control. If any conflict occurs between one or more provisions of this article, such conflict shall be resolved in a manner which on balance is the most protective of significant coastal resources. If any provision of this article conflicts with any provision of any regulation contained in any previously adopted ordinance of the City, the provisions of this article shall control.

Section 12.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 1. General Provisions Sec. 10-5.2906. Definitions is hereby amended as

follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.2906.2.

(a) Reserved.

Section 13.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 1. General Provisions Sec. 10-5.2906. Definitions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.2906.5

(d) Reserved.

Section 14.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 1. General Provisions Sec. 10-5.2906. Definitions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.2906.10

(h) Reserved.

Section 15.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 1. General Provisions Sec. 10-5.2906. Definitions is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.2906.12.

(a) "Sign" see Article 17.

(b) Reserved.

(c) Reserved.

Section 16.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 3. Coastal Zone Development Standards Sec. 10-5.2944. Visual resources standards is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.2944.1. Scenic coastal areas.

New signs shall be subject to the provisions of Article 17. (Signs).

Section 17.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 21. AR - Architectural Review Combining District is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

Sec. 10-5.29200. Purposes.

(b) Architectural Review. In order to prevent the erection of structures that would be inharmonious with their surroundings or would have an adverse effect on the value of property or improvements in the vicinity, uses and structures in the AR and PD Districts and conditional uses in all districts shall be subject to architectural review by the Design Review Committee. The ugly, the inharmonious, the monotonous, and the hazardous shall be barred, but originality in architecture, site planning, and landscape and graphic design shall not be suppressed. Review shall include exterior design, materials, textures, and colors but shall not consider elements of the design that do not affect exterior appearance. In reviewing proposals for development in AR Districts that have an established historical character, the Design Review Committee shall recommend disapproval of drawings for a structure that would be inharmonious with surrounding development, but the Committee shall not require that new structures duplicate an historic architectural style as a condition of approval.

(c) **Signs.** The Design Review Committee shall review and act on applications for signs as required by Article 17. (Signs).

Section 18.

Eureka Municipal Code Title 10 Chapter 5 Article 29. Coastal Development Permit Procedures Part 21. AR - Architectural Review Combining District is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

10-5.29203.2. Architectural review. In addition to the drawings required by subsections (a), (b), and (d) of Section 10-5.29203. I of this article, the owner of the site or his or her authorized agent shall submit the following drawings to the Director of Planning at the time of or prior to applying for a zoning permit: (a) Architectural drawings or sketches, drawn to scale, showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified; (b) Signs pursuant to Article 17. (Signs), if any; (c) The Design Review Committee or the Director of Planning may require additional information if necessary to determine whether the purposes of this article are being carried out.

Section 19.

This ordinance shall become effective upon certification by the California Coastal Commission.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 15th day of September, 2020 by the following vote:

AYES: COUNCILMEMBERS CASTELLANO, MESSNER, ARROYO, ALLISON,
BERGEL
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS



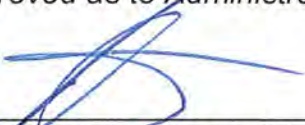
Kim Walford Bergel, Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the 15th day of October, 2020, and hereby approved.



Susan Seaman, Mayor

Approved as to Administration:



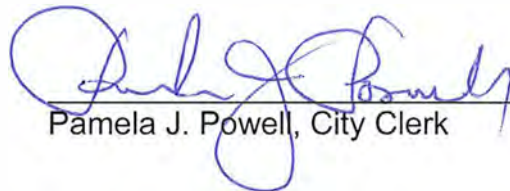
Miles Slattery, Interim City Manager

Approved as to form:



Robert Black, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the 16th day of October, 2020.



Pamela J. Powell, City Clerk