

## CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CA 95521  
VOICE (707) 826-8950  
FAX (707) 826-8960



# F8c

### LCP-1-EUR-22-0054-2 (DIGITAL SIGN PROHIBITON)

February 10, 2023

### EXHIBITS

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AN ORDINANCE OF THE CITY OF EUREKA AMENDING EUREKA MUNICIPAL  
CODE TITLE 10 CHAPTER 5 ARTICLE 17 SIGNS AND ARTICLE 22  
NONCONFORMING USES, STRUCTURES, AND SIGNS PERTAINING TO  
DIGITAL SIGNS

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

Section 1.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.1704.1. Prohibited sign types. is hereby amended as follows: *[the remainder of the section is unchanged and omitted.]*

**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.

~~(e)(f)~~ Digital signs except when allowed consistent with Table 17-10 in 10-5.1708.1 (Sign type standards).

Section 2.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 1707.4. Creative sign permit. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**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.
- (iii) Provide standards for the permitting of ~~digital signs in the coastal zone,~~ animated window signs, and marquee signs.

Section 3.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.1707.4.(i).(i) Creative sign permit. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

(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.

~~E. For digital signs in the coastal zone, the sign is consistent with the International Dark Sky Association's Guidance for Electronic Message Centers (EMCs) for luminance level and curfew.~~

Section 4.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.1708.1. Sign type standards. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**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.
<del>Digital Sign [3]</del>			<del>See [2]</del>	<del>See [3]</del>
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.

Pursuant to Sec. 10-5.29304.1 of Article 29, in the coastal zone, wall mounted signs, located on-site, less than 24 square feet in size, no higher than the vertical wall to which they are attached, located within the CW or CS zoning designations are exempt from coastal development permit requirements pursuant to the City of Eureka Categorical Exclusion Order E-88-2, except for wall-mounted signs on lots or parcels within or visible from scenic coastal resource areas, as defined in the certified Local Coastal Program. Pursuant to Condition 6 of E-88-2, sign development exempted under the Order shall comply with the certified Local Coastal Program if more restrictive than the terms and conditions of the Order.

**Materials:**

- Unless painted on a wall, wall signs must be constructed of durable, rigid material such as wood, plastic, or metal.
- Permanent walls 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**



**Digital Signs:** Digital signs are not allowed as 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.

Standards [1]	Zone District		
	CN, CW, OR	CS, MC, MG, ML	Non-residential uses in all Residential zones
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 17-4: 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:** \_\_\_\_\_ **Figure 17-10: Window signs, internally illuminated** \_\_\_\_\_

**Additional Requirements:**

- 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.



**Digital Signs:** Digital signs are not allowed as 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.

**Digital Signs:** Digital signs are not allowed as projecting and suspended signs.



Standard [1]	Zone District	
	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.

**Digital Signs:** Digital signs are not allowed as awning and canopy signs.

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.	

**Note:** Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-

story buildings).

**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.

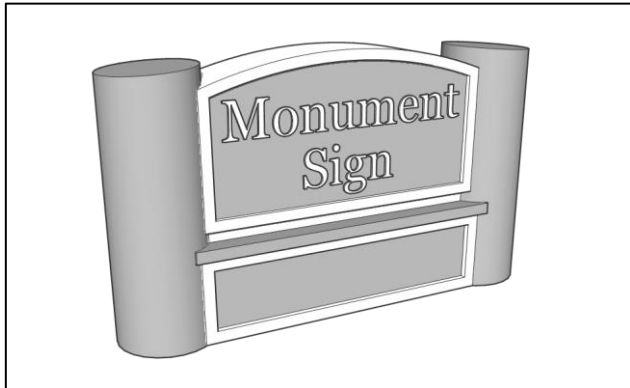
**Ground support and placement:** See 10-5.1709.10 (Detached sign ground support and placement).

**Illumination:**

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

**Digital Signs:** Digital signs are not allowed as monument signs.

**Figure 17-15: Monument signs**



Standard	Zone District	
	CN, CW, 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.	
Note: 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).

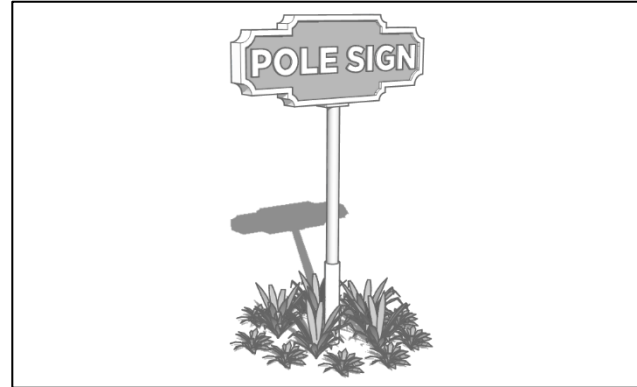
**Landscaping:** Pole signs must be placed in a planter box or other landscaped area, with the area of the landscaping a minimum of 15 square feet or one-half of the surface area of the sign, whichever is greater.

**Illumination:**

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

**Digital Signs:** Digital signs are not allowed as pole signs.

**Figure 17-16: Pole signs**



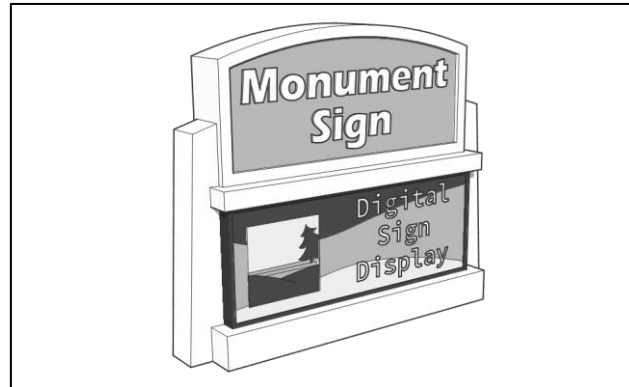
Standard	CS, MC, MG, ML Zone Districts
Max. number	1 per site
Max. area	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 50 sq. ft. per tenant; maximum of 150 sq. ft. for multi-tenant signs
Max. height	24 ft.
Horizontal clearance	See 10-5.1709.9 (Vertical and horizontal clearance)
Max. 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 ~~marquee internally illuminated window~~ signs.

**Where allowed:**

- New digital signs are prohibited in all zone districts. In the CS Service Commercial zone district, only on properties fronting Broadway, and in the CP Planned Shopping Center zone district.
- Existing digital signs are nonconforming signs and may continue and be maintained as provided by Article 22 (Nonconforming Uses, Structures, and Signs).

**Figure 17-17: Digital signs**

**Sign type:** ~~Digital signs are permitted with a Creative Sign Permit 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 Zone Districts
Max. number	<del>1 per site</del>
Max. frequency of message display change	<del>15 sec.</del>
Max. height	<del>Established by the sign type into which the digital sign is incorporated.</del>
Max. percentage of sign area containing digital display	<del>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</del>
Max. width	<del>No max.</del>

**Section 5.**

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.**

(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. Nonconforming digital signs shall comply with the Design, Message, and Brightness standards in Figure 17-10 in 1708.1 (Sign types standards). Repair and maintenance shall not include expansion or enlargement of the physical structure or 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. Percent of repair calculation shall take into consideration previous repairs over time from the date of initial repair. The replacement of 50 percent or more of a structure or sign is not repair and maintenance, but instead constitutes a replacement structure or sign requiring a coastal development permit in the coastal zone.

**Section 6.**

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 18<sup>th</sup> day of October, 2022 by the following vote:

AYES: COUNCILMEMBERS  
NOES: COUNCILMEMBERS  
ABSENT: COUNCILMEMBERS

\_\_\_\_\_  
Kim Walford Bergel, Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the \_\_\_\_ day of \_\_\_\_\_, 2022, and hereby approved.

\_\_\_\_\_  
Susan Seaman, Mayor

*Approved as to Administration:*

*Approved as to form:*

\_\_\_\_\_  
Miles Slattery, City Manager

\_\_\_\_\_  
Autumn Luna, City Attorney

Exhibit 1  
LCP-1-EUR-22-0054-  
2 (City of Eureka)  
Ordinance 937-CS  
Page 13 of 14

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the \_\_\_\_\_  
day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Pamela J. Powell, City Clerk

**RESOLUTION No. 2022-62**

**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 DIGITAL SIGNS TO THE CALIFORNIA COASTAL COMMISSION  
FOR CERTIFICATION**

**WHEREAS**, the City of Eureka desires to amend the text of the Eureka Municipal Code Title 10 Chapter 5 Article 17 (Signs) and Article 22 (Nonconforming Uses, Structures, and Signs) to prohibit new digital signs in the Coastal Zone. City of Eureka project numbers TA-22-0002 and LCP-22-0002 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; and

**WHEREAS**, the Local Coastal Program Amendment will prohibit new digital signs, and provide regulation for non-conforming digital 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 September 2, 2022, a "*Public Hearing Notice and Notice of Availability of Draft Local Coastal Program Amendment*" 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 September 2, 2022, 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 in person and via Zoom on September 12, 2022; and

**WHEREAS**, pursuant to Title 14 California Code of Regulations, Section 13515, both the mailing and publication on August 30, 2022, were at least ten days prior to the scheduled public hearing; and

**WHEREAS**, at the public hearing held by the Planning Commission on September 12, 2022, 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 Local Coastal Program Amendment and adopted Planning Commission Resolution No. 2020-22, making the finding required for a Local Coastal Program Amendment



recommending the City Council adopt the proposed Coastal Digital Sign Amendment; and

**WHEREAS**, pursuant to Title 14 California Code of Regulations, Section 13515, on October 8, 2022, a "*Notice of Public Hearing*" for the draft Amendment 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 in person and via Zoom on October 18, 2022; and

**WHEREAS**, pursuant to Title 14 California Code of Regulations, Section 13515, the publication on October 18, 2022, was at least ten days prior to the scheduled public hearing; and

**WHEREAS**, the City Council held a public hearing on October 18, 2022, in person and via Zoom to consider the Local Coastal Program Amendment. One person provided testimony against the Local Coastal Program amendment; and

**WHEREAS**, on October 18, 2022, upon closing the public hearing, the City Council considered the Local Coastal Program Amendment and the Planning Commission's recommendation, and introduced Bill No. 1019-C.S., to amend the text of Eureka Municipal Code Title 10 Chapter 5 Article 17 (Signs) and Article 22 (Nonconforming Uses, Structures, and Signs) to prohibit new digital signs in the Coastal Zone; and

**WHEREAS**, on November 1, 2022, the City Council waived reading, read by title only and adopted Bill No. 1019-C.S.; and

**WHEREAS**, Section 13515(c) of Title 14 Code of Regulations requires there be a minimum of six weeks (42 days) between the "Notice of Availability and 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 November 1, 2022, which is 60 days following the September 2, 2022, 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 the amendment to the Implementation Plan of the Local coastal Program conforms to Chapter 3 of the Coastal Act.

**SECTION 2.** The City Council hereby finds the amendment to 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.

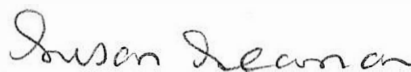
**SECTION 4.** The City Council hereby declares, pursuant to Coastal Act Section 30510(a), the City of Eureka will carry out the Local Coastal Program Amendment in a manner fully consistent with the California Coastal Act.

**SECTION 5.** The City Council directs Staff to transmit the adopted Local Coastal Program Amendment pertaining to Coastal Digital 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, County of Humboldt, State of California, on the 1st day of November, 2022, by the following vote:

AYES: COUNCIL MEMBERS: CASTELLANO, MOULTON, ARROYO, BAUER, BERGEL  
NOES: COUNCIL MEMBERS:  
ABSENT: COUNCIL MEMBERS:



Susan Seaman, Mayor of the City of Eureka

Attest:



Pamela J. Powell, City Clerk

Approved as to Administration:



Miles Slattery, City Manager

Approved as to form:



Autumn Luna, City Attorney

**AN ORDINANCE OF THE CITY OF EUREKA AMENDING EUREKA MUNICIPAL  
CODE TITLE 10 CHAPTER 5 ARTICLE 17 SIGNS AND ARTICLE 22  
NONCONFORMING USES, STRUCTURES, AND SIGNS PERTAINING TO  
DIGITAL SIGNS**

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

Section 1.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.1704.1. Prohibited sign types. is hereby amended as follows: *[the remainder of the section is unchanged and omitted.]*

**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.
- (f) Digital signs except when allowed consistent with Table 17-10 in 10-5.1708.1 (Sign type standards).

Section 2.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 1707.4. Creative sign permit. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**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.
- (iii) Provide standards for the permitting of animated window signs, and marquee signs.

Section 3.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.1707.4.(i).(i) Creative sign permit. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

(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.

Section 4.

Eureka Municipal Code Title 10 Chapter 5 Article 1 General Sec. 10-5.1708.1. Sign type standards. is hereby amended as follows: *[the remainder of the section is unchanged and is omitted.]*

**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.	Max Total Area of all Signs in CP Zone [1]	CP Zone District	
			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.
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.				

**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.

Pursuant to Sec. 10-5.29304.1 of Article 29, in the coastal zone, wall mounted signs, located on-site, less than 24 square feet in size, no higher than the vertical wall to which they are attached, located within the CW or CS zoning designations are exempt from coastal development permit requirements pursuant to the City of Eureka Categorical Exclusion Order E-88-2, except for wall-mounted signs on lots or parcels within or visible from scenic coastal resource areas, as defined in the certified Local Coastal Program. Pursuant to Condition 6 of E-88-2, sign development exempted under the Order shall comply with the certified Local Coastal Program if more restrictive than the terms and conditions of the Order.

**Materials:**

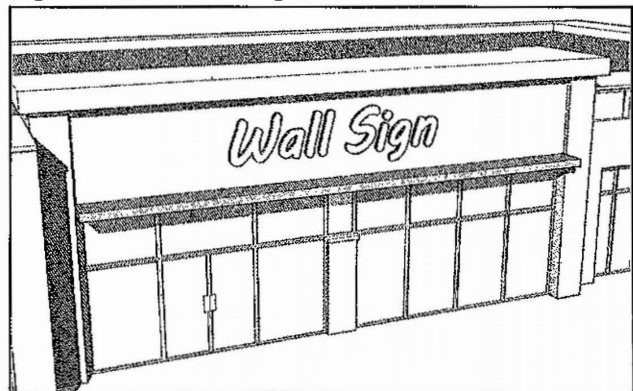
- Unless painted on a wall, wall signs must be constructed of durable, rigid material such as wood, plastic, or metal.
- Permanent walls signs constructed of flexible, non-rigid material (e.g., cloth, flexible vinyl) are not permitted.
- Wall signs may be painted directly on a building wall.

**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.

**Digital Signs:** Digital signs are not allowed as wall signs.

**Figure 17-8: Wall signs**



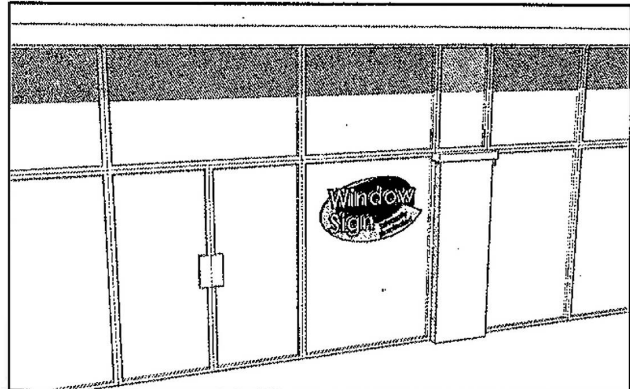
Standards [1]	Zone District		
	CN, CW, OR	CS, MC, MG, ML	Non-residential uses in all Residential zones
Max. number	2 per tenant frontage		1 per building frontage
Max. area [2]	1.0 sq. ft. per linear foot of tenant frontage to a maximum of 32 sq. ft. per tenant	1.0 sq. ft. per linear foot of tenant frontage (no maximum)	24 sq. ft.

Standards [1]	Zone District		
	CN, CW, OR	CS, MC, MG, ML	Non-residential uses in all Residential zones
	frontage		
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 17-4: 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.

**Figure 17-10: Window signs, internally illuminated**



**Additional Requirements:**

- Animated window signs require a Creative Sign Permit.
- The window transparency requirement in Table 17-3 applies to internally illuminated window signs.

**Digital Signs:** Digital signs are not allowed as internally illuminated window signs.

	Zone District	
Standard [1]	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.	
Note: [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.

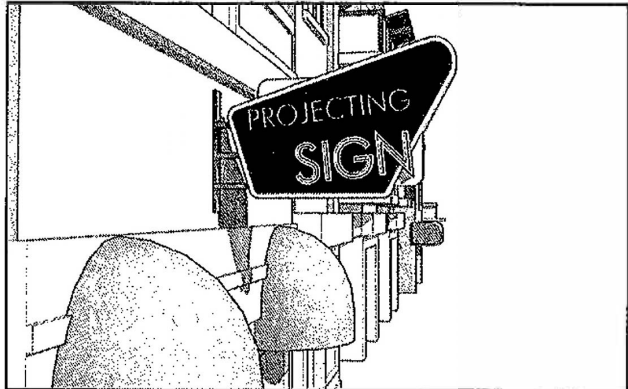
**Vertical and horizontal clearance:** **Figure 17-11: Projecting and suspended signs**

- See 10-5.1709.9 (Vertical and horizontal clearance)

**Illumination:**

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

**Digital Signs:** Digital signs are not allowed as projecting and suspended signs.



Standard [1]	Zone District	
	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		

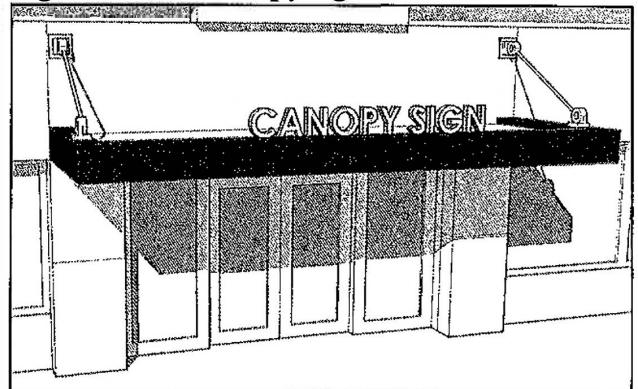
**Table 17-6: Awning/Canopy signs**

**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.

**Digital Signs:** Digital signs are not allowed as awning and canopy signs.

Signage: Signs are not allowed as awning and canopy signs.

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.	
<b>Note:</b> Standards apply only to ground-floor tenants and uses. See 10-5.1708.3 (Multi-story buildings).		

**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.

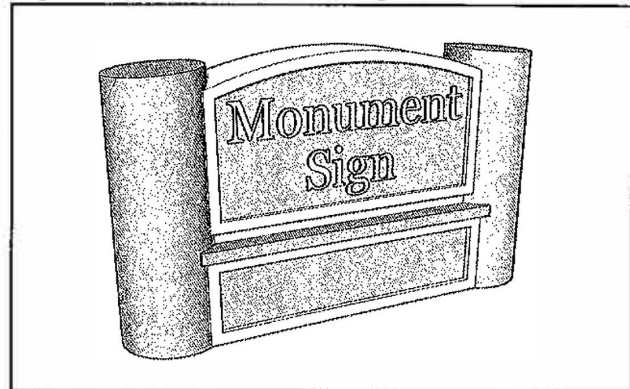
**Ground support and placement:** See 10-5.1709.10 (Detached sign ground support and placement).

**Illumination:**

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

**Digital Signs:** Digital signs are not allowed as monument signs.

**Figure 17-15: Monument signs**



Standard	Zone District	
	CN, CW, 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).

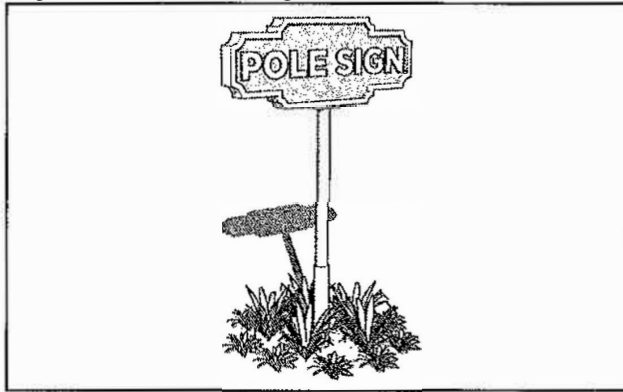
**Landscaping:** Pole signs must be placed in a planter box or other landscaped area, with the area of the landscaping a minimum of 15 square feet or one-half of the surface area of the sign, whichever is greater.

**Illumination:**

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

**Digital Signs:** Digital signs are not allowed as pole signs.

**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.
<b>Note:</b> 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 marquee signs.

**Where allowed:**

- New digital signs are prohibited in all zone districts.
- Existing digital signs are nonconforming signs and may continue and be maintained as provided by Article 22 (Nonconforming Uses, Structures, and Signs).

**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.

**Section 5.**

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.**

(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. Nonconforming digital signs shall comply with the Design, Message, and Brightness standards in Figure 17-10 in 1708.1 (Sign types standards). Repair and maintenance shall not include expansion or enlargement of the physical structure or 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. Percent of repair calculation shall take into consideration previous repairs over time from the date of initial repair. The replacement of 50 percent or more of a structure or sign is not repair and maintenance, but instead constitutes a replacement structure or sign requiring a coastal development permit in the coastal zone.

**Section 6.**

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 1st day of November, 2022 by the following vote:

AYES: COUNCILMEMBERS CASTELLANO, MOULTON, ARROYO, BAUER,  
BERGEL  
NOES: COUNCILMEMBERS  
ABSENT: COUNCILMEMBERS



Kim Walford Bergel, Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the \_\_\_\_ day of \_\_\_\_\_, 2022,  
and hereby approved.



Susan Seaman, Mayor

*Approved as to Administration:*

  
Miles Slattery, City Manager

*Approved as to form:*

  
Autumn Luna, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the 15th  
day of November, 2022.



Pamela J. Powell, City Clerk