

ORDINANCE NO. 332

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, REPEALING THE EXISTING CHAPTER 17.40 OF TITLE 17 OF THE MOORPARK MUNICIPAL CODE AND APPROVING ZONING ORDINANCE AMENDMENT NO. 2004-06 ADOPTING A NEW CHAPTER 17.40 ENTITLED "SIGN REGULATIONS" ESTABLISHING REGULATIONS PERTAINING TO SIGNAGE ON PRIVATE PROPERTY

WHEREAS, on July 2, 1997, the City Council adopted Resolution No. 97-1345, directing the Planning Commission to study and make recommendations to the City Council regarding changes to the Zoning Ordinance for signs in the public right-of-way; and

WHEREAS, on September 6, 2000, the City Council adopted Resolution No. 2000-1774 directing the Planning Commission to study and make recommendations to the City Council regarding changes to the Zoning Ordinance, relative to signs for outdoor product advertising/menu boards for drive-through restaurants; and

WHEREAS, on April 3, 2002, the City Council adopted Resolution No. 2002-1962, directing the Planning Commission to study and make recommendations to the City Council regarding changes to the Zoning Ordinance relative to the promotion of new businesses, i.e. temporary signs and banners; and

WHEREAS, without adequate regulation, signage can endanger the public, distract drivers, create confusion and foster a negative image of the City on the part of the public; and

WHEREAS, excessive signage can damage view corridors, diminish property values and detrimentally affect the quality of life of City residents, business and property owners, visitors and the traveling public; and

WHEREAS, the United States Supreme Court has recognized that certain types of signs may constitute "real and substantial hazards to traffic safety" and can also be perceived as an aesthetic harm. (*Metromedia, Inc. v. City of San Diego* (1981) 453 U.S. 490, 511-12); and

WHEREAS, traffic safety and aesthetics are substantial interests that justify the regulation of signs. (*National Advertising v. City of Orange* (9th Cir. 1988) 861 F.2d 246, 248); and

WHEREAS, the City's past and present sign regulations have directly advanced the City's long-standing interests in traffic safety and aesthetics and these regulations have served to protect the general public health, safety and welfare; and

WHEREAS, the United States Supreme Court and other federal and state courts have also upheld the right of cities to prohibit or restrict off-site commercial signs. (*Metromedia, Inc. v. City of San Diego* (1981) 453 U.S. 490; *Ackerly Communications of the Northwest, Inc. v. Krochalis* (9th Cir. 1997) 109 F.3d 1095; *Outdoor Systems, Inc. v. City of Mesa* (9th Cir. 1993) 997 F.2d 604; *Tahoe Regional Planning Agency v. King* (1991) 233 Cal.App.3d 1365; *City and County of San Francisco v. Eller Outdoor Advertising* (1987) 192 Cal.App.3d 643); and

WHEREAS, following the examples of the respective public entities in these cases and in accordance with the judicial precedent established by these cases, the City Council has determined that the primary purpose of commercial signage should be for identification of the businesses, products, services or facilities available on the premises on which a sign is located and not the use or leasing of available space for the purpose of advertising commercial businesses, products, services or facilities located elsewhere; and

WHEREAS, the City's prohibitions on billboards and other off-site commercial signs is also consistent with the legislative intent expressed by the California Legislature in enacting the Outdoor Advertising Act (Business & Professions Code sections 5200 et seq.), which specifically provides in Section 5230 that the "governing body of any city may enact ordinances, including, but not limited to, land use or zoning ordinances, imposing restrictions on advertising displays adjacent to any street, road, or highway equal to or greater than those imposed by" the Act; and

WHEREAS, many of the City's current sign regulations date back to the 1980s and numerous amendments to these regulations have resulted in a regulatory scheme that needs reorganization and clarification. Accordingly, the City Council desires to amend, clarify and enhance the City's sign regulations in order to further protect the public health, safety, and welfare from the potential effects and impacts of signs including, but not limited to, the creation of hazards to traffic safety and the aesthetic harm and related effects on property values and the quality of life in the City caused by signs; and

WHEREAS, to this end, the City Council desires to enhance the City's current sign regulations with respect to the design, location, materials, construction and maintenance of signs, as well as the types of signs permitted; and

WHEREAS, the City Council further desires to make textual and procedural clarifications and amendments to the City's current sign regulations, including the clarification that Chapter 17.40 applies solely to private property; and

WHEREAS, the City Council further desires to reorganize the City's sign regulations so that they are easier for the public to review and for staff to administer; and

WHEREAS, at its meetings of March 22, 2005, April 12, 2005 and June 28, 2005 the Planning Commission conducted a duly-noticed public hearing on Zoning Ordinance Amendment No. 2004-06 for amendments to Chapters 17.40 of the Moorpark Municipal Code related to the signs on private property, received public testimony, and after receiving oral and written public testimony, closed the public hearing and reached a decision, adopting Resolution No. PC-2005-481 recommending to the City Council approval of Zoning Ordinance Amendment 2004-06; and

WHEREAS, the proposed amendments are consistent with and further implement the goals and policies of the City's General Plan; and

WHEREAS, with respect to the regulation of "on-site" signs as defined in this ordinance (referred to as "on-premises advertising displays" in California Business & Professions Code sections 5490 and 5491.1), the City Council finds that the amendments to Chapter 17.40 contained in this ordinance are not more restrictive than the City's existing regulations, and that the amended regulations pertaining to the permitted types, number, area or height of on-site signs will in any event only apply to new on-site signs erected after the effective date of this ordinance. Accordingly, the City Council finds that the inventory and additional public hearing requirements of Business & Professions Code section 5491.1 do not apply to the adoption of this ordinance; and

WHEREAS, the regulations imposed under this ordinance are a matter of local and City-wide importance and are not directed towards any particular business or property owner that currently seeks to install any sign; and

WHEREAS, at its meetings of September 7, October 5, November 2, and December 7, 2005, the City Council conducted a duly-noticed public hearing on Zoning Ordinance Amendment No. 2004-06, received public testimony, and after receiving oral and written public testimony, closed the public hearing, and reached a decision; and

WHEREAS, the City Council concurs with the Community Development Director's determination that this project is exempt from the provisions of the California Environmental Quality Act by the general rule that CEQA only applies to projects that may have a significant effect on the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds Zoning Ordinance Amendment No. 2004-06 is consistent with the City of Moorpark General Plan and all adopted Specific Plans.

SECTION 2. Chapter 17.40 of the Moorpark Municipal Code is hereby repealed.

SECTION 3. A new Chapter 17.40 of the Moorpark Municipal Code is hereby adopted as shown in Exhibit 1, which is incorporated by this reference.

SECTION 4. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 5. This ordinance, due to its length and the corresponding costs of publication will be published by title and summary. The approved summary of this ordinance reads as follows:

"Summary

This ordinance repeals Chapters 17.40 (Signs) of the Moorpark Municipal Code and consolidates these existing regulations into a new Chapter 17.40 pertaining to the regulation of signs on private property. The reorganization of the City's sign regulations is intended to make the regulations easier for the public to review and for staff to administer. The amendments in this new Chapter 17.40 are not more restrictive than the City's existing regulations with respect to permitted on-site signs, and in any event the amended regulations pertaining to the permitted types, number, area or height of on-site signs only apply to new on-site signs erected after the effective date of this ordinance. These regulations restate and directly advance the City's longstanding interests in regulating signage for the purposes of improving aesthetics and traffic safety. New definitions have been added to clarify the types of signs that are permitted and those that are prohibited. The ordinance clarifies that noncommercial messages may be substituted for commercial messages on approved signs and also clarifies the rights of the public to place signs with noncommercial messages such as campaign signs in residential zones. The ordinance clarifies that certain temporary signs do not require a sign permit provided that they comply with all applicable standards such as sign area and height. The ordinance establishes time frames for city staff to review and act on standard sign permit applications. The amended regulations place the general location, height, area and maintenance standards in specific sections for ease of reference. Similarly, the amended regulations consolidate the signs permitted in certain zones in specific sections rather than by sign types as under the former regulations. Finally, the amended regulations clarify the procedures for appealing city decisions regarding signage."

SECTION 6. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 7. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and

shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published once in the Moorpark Star a newspaper of general circulation, as defined in Section 6008 of the Government Code, for the City of Moorpark, and which is hereby designated for that purpose.

PASSED AND ADOPTED this 21st day of December, 2005.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Exhibit 1:

Amendments to Chapter 17.40 of the Moorpark Municipal Code

EXHIBIT 1
Chapter 17.40
SIGN REGULATIONS

Sections:

- 17.40.010 Purpose.**
- 17.40.020 Definitions.**
- 17.40.030 Applicability.**
- 17.40.040 General provisions.**
- 17.40.050 Sign not requiring a permit.**
- 17.40.060 Administration.**
- 17.40.070 General location, height and area standards.**
- 17.40.080 Design, material, construction and maintenance standards.**
- 17.40.090 Temporary banners and signs for city-sponsored events and Moorpark non-profit organizations.**
- 17.40.100 Residential, institutional, and open space zones.**
- 17.40.110 Commercial/industrial zones.**
- 17.40.120 Downtown specific plan.**
- 17.40.130 Prohibited signs.**
- 17.40.140 Legal nonconforming signs.**
- 17.40.150 Unsafe signs.**
- 17.40.160 Nuisance and abatement, enforcement and penalties.**

Section 17.40.010 Purpose.

The purposes and intent of the regulations in this chapter are to:

A. Promote signage which allows for easy identification of businesses and occupancies while comprehensively addressing community aesthetic concerns about visual clutter and visual blight.

B. Maintain and enhance the city's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination and maintenance of signs.

C. Limit the size and number of signs to levels that reasonably allow for the identification of a residential, public or commercial location and the nature of any such commercial business.

D. Enable the fair and consistent enforcement of these sign requirements.

E. Generally limit commercial signage to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public.

F. Regulate signs in a manner so as to not physically interfere with or obstruct the vision of pedestrian or vehicular traffic.

G. Protect and improve pedestrian and vehicular traffic safety by balancing the need for

signs that facilitate the safe and smooth flow of traffic (e.g., directional signs and on-site signs) without an excess of signage which may distract drivers or overload their capacity to quickly receive information.

H. Allow adequate opportunities for the communication of noncommercial and commercial speech.

I. Respect and protect the right of free speech by sign display, while reasonably regulating the structural, locational and other noncommunicative aspects of signs, generally for the public health, safety, welfare and specifically to serve the public interests in community aesthetics and traffic and pedestrian safety.

J. Implement the goals and policies of the city's general plan, specific plans, design guidelines and municipal code.

K. Encourage signs that are appropriate to the land use zone in which they are located and consistent with the permitted uses of the subject property.

L. Establish sign sizes in relationship to the scale of the parcel and building on which the sign is to be placed or to which it pertains.

M. Regulate signs in a constitutional manner, which is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs. All administrative interpretations and discretion are to be exercised in light of this policy and consistent with the purposes and intent stated in this section.

Section 17.40.020 Definitions.

Words and phrases used in this chapter have the meanings set forth in this section. Words and phrases not defined in this section, but defined in chapter 17.08 are given the meanings set forth in chapter 17.08.

"A-frame sign" means a sign, temporarily or permanently affixed to the ground, which is constructed in such a manner as to form an "A" or tent-like shape, fastened or not at the top, with each face held at an appropriate distance by a supporting member.

"Abandoned sign" means any sign which is no longer in use or identifies or pertains to a business, occupancy or use that no longer exists.

"Animated sign" means any sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement. Time and temperature devices are not considered animated signs.

"Banner" means any temporary sign of light-weight fabric or similar flexible material which projects from or hangs from a building, pole or wire affixed to the ground or to a building. Banners include but, are not limited to pennants, flags affixed vertically or horizontally. Banner does not include a single state or country flag.

"Business frontage" means that portion of the building or tenant space which is predominately oriented toward a public or private right-of-way, courtyard, pedestrian access, parking lot or parking lot drive aisle.

"Campaign sign" means a sign that is designed to support the passage or defeat of any measure on a ballot or to influence voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state, or local election.

"Commercial message" means any wording, logo or other representations that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

"Commercial sign" means any sign, wording, logo, picture, transparency, mechanical device or other representation that is intended to attract attention to a commercial or industrial business, occupancy, product, good, service, or other commercial or industrial activity for a commercial or industrial purpose.

"Construction sign" means a temporary sign denoting the architects, engineers, owners, lenders, contractors, future tenants and others associated with a construction project, but, which contains no other advertising matter.

"Directional sign" means any sign which guides the reader to a specific location.

"Director" means the community development director or any person designated by the director to act in the director's behalf.

"Erect" means to build, construct, attach, hand, place, suspend or affix to or upon any surface.

"Flashing sign" means any sign which, by method or manner of illumination, flashes, winks or blinks with varying light intensity, shows motion, or creates the illusion of motion; revolves in a manner to create the illusion of being on or off; changes color or appears to change color or where the intensity of light changes or appears to change. Time and temperature devices are not considered flashing signs.

"Freestanding sign" means any sign supported by one or more upright poles or rock, block, or masonry base in or upon the ground, other than an outdoor advertising structure, and not attached to a building.

"Fuel pricing sign" means a sign indicating, and limited to, the brand or trade name, method of sale, grade designation and price per gallon of gasoline or other motor vehicle fuel offered for sale on the premises, and such other information as may be required by law.

"Hand-held sign" means a sign that is held by or otherwise mounted on a person. For the purposes of this chapter, a hand held sign does not include a noncommercial sign.

"Holiday sign or display" means a temporary sign or display erected in recognition of any religious and/or city, state or federally recognized holiday.

"Illegal sign" means: (a) any sign originally erected or installed without first complying with all structural, locational, design, building, and electrical regulations in effect at the time of its construction or installation; (b) any commercial sign that is not maintained, or is not used to identify or advertise an ongoing business, occupancy, product, good or service available on the site of the sign for more than ninety (90) days; (c) any unsafe sign; (d) any legal nonconforming sign that has not been removed following the expiration of any applicable amortization period provided in this code; and (e) any sign that is in violation of the provisions of this chapter.

"Incidental property related sign" means a non-illuminated sign indicating credit cards accepted, trade affiliations, no solicitation, no trespassing, nameplates and similar property-related matters.

"Legal nonconforming sign" means any sign which was approved by the county prior to city incorporation or approved by the city and erected or installed in compliance with all structural, locational, design, building, and electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this chapter.

"Logo" means any symbol of any color or shape that is used by itself or in conjunction with text to identify the business. Logos which are comprised of text only shall be

considered as text only.

"Marquee sign" means any changeable copy, including electronic copy, sign attached fastened or mounted on a permanent roof-like structure projecting from a wall of a building.

"Menu board sign" means a wall or monument sign displaying a list of items available with prices at a drive-through business for the purpose of taking drive-through orders.

"Mobile sign" means the use of a moving trailer, automobile, truck, or any other vehicle to display commercial or noncommercial messages primarily for advertising purposes unrelated to the principal use of such vehicle.

"Monument sign" means a sign that is completely self-supporting, has its sign face or base on the ground, and has no air space, columns or supports visible between the ground and the bottom of the sign.

"Moorpark non-profit organization" means an organization chartered in the City of Moorpark in accordance with applicable State and Federal laws, rules and regulations.

"Neighborhood identification sign" means an on-site sign that identifies a residential subdivision or area of common interest, but contains no other advertising copy.

"Neon sign" means a sign consisting of an internally illuminated glass tube which is bent to form letters, symbols or other shapes.

"Noncommercial sign" means a sign that does not name, advertise or call attention to a commercial or industrial business, commodity, product, good, service or other commercial or industrial activity for a commercial or industrial purpose.

"Off-site sign" means a commercial sign not located on the site of the business or entity indicated or advertised by the sign, or a commercial sign advertising a commodity, good, product, service or other commercial or industrial activity which originates on a site other than where the sign is located.

"On-site sign" means any commercial sign which directs attention to a commercial or industrial occupancy, business, commodity, good, product, service or other commercial or industrial activity conducted, sold or offered upon the site where the sign is maintained. For the purposes of this chapter, all signs with noncommercial messages are deemed to be "on-site," regardless of location.

"Permanent sign" means any sign which is intended to be and is so constructed as to be of lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear and tear) and position and in a permanent manner affixed to the ground, wall or building.

"Portable sign" means a freestanding sign that is not permanently affixed, anchored or secured to either the ground or a structure on the premises it is intended to occupy, but does not include hand held signs. For the purposes of this title, a portable sign does not include a noncommercial sign.

"Projecting sign" means a sign mounted perpendicular to the wall or building face or structure.

"Pylon sign" means a freestanding sign, other than a monument sign, in which the sign face is separated from ground level by means of one or more supports such as poles, pole covers or columns.

"Real estate sign" means any temporary sign that relates to the sale, lease or exchange of all or a portion of the premises upon which it is located, not including permanent signs with rental or leasing information.

"Rider" means any advertisement device attached to a sign which projects or is outside of the area of the sign.

"Roof sign" means a sign affixed on, above, over, or through the roof of any building or structure which projects above the eave line or parapet wall of the building or structure. On buildings with mansard roofs the roof shall be determined to be the eave line of the mansard. Signs projecting above the eave line on a building with a mansard roof where the sign has been architecturally integrated into the design of the mansard are not considered a roof sign.

"Subdivision directional sign" means a sign utilized for the purpose of indicating the flow of traffic or travel to reach a specific residential subdivision, and the copy of which is limited to identifying the subdivision together with specific directions to enable the traveler to locate the subdivision.

"Subdivision sale sign" means a temporary sign that contains the name of, and information relating to, a subdivision being offered for sale or lease for the first time, but contains no other advertising copy.

"Temporary sign" means any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, wood or other light materials, with or without frames, intended to be displayed for a limited period of time, including Banners as defined herein.

"Sign" means any device, fixture, placard or structure, including its component parts, which draws attention to an object, product, place, activity, opinion, person, institution, organization, or place of business, or which identifies or promotes the interests of any person and which is to be viewed from any public street, road, highway, right-of-way or parking area. The following are not within the definition of "sign" for the regulatory purposes of this chapter:

- a. Signs required on private property consistent with the requirements of the California Vehicle Code;
- b. Any public or legal notice required by a court or public agency;
- c. Memorial tablets or signs not exceeding two (2) square feet, including those indicating names of buildings and dates of construction, when cut into a masonry surface or inlaid so as to be part of the building;
- d. Signs required to be maintained by law or governmental order, rule or regulation, with a total surface area not exceeding ten (10) square feet, except as otherwise required by law;
- e. Street address numbers with a total surface area not exceeding two (2) square feet per address;
- f. Signs placed or required by a public utility for public safety;
- g. Holiday signs or displays on commercial or industrial buildings;
- h. Signs erected for city-sponsored and co-sponsored events;
- i. Non-Commercial flags not exceeding thirty (30) square feet for each lot in a residential zone or seventy-five (75) square feet for each lot in a commercial or industrial zone, provided that the pole or other structure upon which they are flown meets applicable setback and height limitations of the zone in which it is located.

"Unsafe sign" means a dangerous structure or components as set forth in Chapter 15.08 of this code.

"Window sign" means any sign that is affixed to the interior side of a window and is

visible from the exterior of the window, including open/closed signs.

Section 17.40.030 Applicability.

This chapter regulates signs located on private property within all land use zones of the city and on property owned by public agencies other than the city and over which the city has zoning and land use regulatory power. Except where otherwise expressly provided in this chapter, all signs located in such areas of the city must be erected and maintained in conformity with this chapter.

Section 17.40.040 General provisions.

A. Sign permit required. Except as otherwise expressly provided in this chapter, it is unlawful for any person to place, erect, structurally or electrically alter (not including a change in sign copy or sign face), move or display any temporary or permanent sign without first obtaining a sign permit from the community development department in accordance with the provisions of this chapter. No sign permit is required for cleaning or other normal maintenance of a properly approved sign, unless a structural or electrical change is made.

B. Owner's consent required. Property owner consent or consent of the person in control or possession of the property is required before any sign may be erected on any private property within the City.

C. Noncommercial signs. Noncommercial signs are allowed wherever commercial or industrial signage is permitted and are subject to the same standards and total maximum allowances per site, building or tenant of each sign type specified in this chapter. A permit is required for a permanent noncommercial sign if there is no permit for the permanent commercial sign. For purposes of this chapter, all noncommercial speech messages are deemed to be "on-site."

D. Substitution of noncommercial message. With prior consent of the property owner or person in control or possession of the property, a noncommercial message of any type may be substituted for all or part of the commercial or noncommercial message on any sign allowed under this chapter. No special or additional approval is required to substitute a noncommercial message for any other message on an allowable sign, provided the sign structure is already approved or exempt from the approval requirement and no structural or electrical change is made. When a noncommercial message is substituted for any other message, however, the sign is still subject to the same design, locational and structural regulations (e.g., color, materials, size, height, illumination, maintenance, duration of display, etc.) as well as all building and electrical code requirements, as would apply if the sign were used to display a commercial message. In the event of any perceived or actual conflict between the general provisions of this subsection and any other specific provisions in this chapter, the provisions of this subsection will prevail.

E. Substitution of commercial messages. The substitution of one commercial message for another commercial message is not automatically allowed nor is the free substitution of a commercial message in a place where only a noncommercial message is allowed. In addition, no off-site commercial messages may be substituted for on-site commercial messages.

F. Legal nature of sign rights and duties. All rights, duties and responsibilities related to permanent signs are attached to the land on which the signs are erected or displayed and run with the land or personal property. The city may demand compliance with this chapter and with the terms of any sign permit from the permit holder, the owner of the sign, the property owner or person in control or possession of the property, or the person erecting the sign.

Section 17.40.050 Signs not requiring a sign permit.

The following signs do not require a sign permit under Section 17.40.060 [Administration], nor will the area of such signs be included in the maximum area of signs permitted; however, each such sign must comply with all applicable requirements of this chapter. The intent of this section is to avoid unnecessary or time consuming review procedures where certain permitted signs are minor or temporary or the erection of such sign does not require review for compliance with the city's building or electrical codes.

- A. Campaign signs.
- B. Construction signs permitted by Section 17.40.100D.
- C. Hand held noncommercial signs.
- D. Incidental property related signs that do not exceed two (2) square feet in area, such as traffic directional signs.
- E. Real estate signs permitted by Section 17.40.100F. and Section 17.40.110G.
- F. Temporary freestanding noncommercial signs permitted by Section 17.40.100E.
- G. Window signs permitted by Section 17.40.110B.7 & 8.

Section 17.40.060 Administration.

A. Purpose. The purpose of a sign permit is to help ensure compliance with the provisions of this chapter, in particular, the provisions regulating the design, illumination, location, materials, number, size and type of sign.

B. Sign permit application process.

1. Where specifically required by this chapter, an application for a sign permit must be made in writing on the form provided by the community development department and accompanied by any required materials, plans and exhibits, and the fee paid as established by city council resolution.

2. The director shall initially review the application to determine if it contains all the information and items required by the provisions of this chapter and may be deemed complete.

3. All notices required by this chapter are deemed given upon the date any such notice is either deposited in the United States mail or the date upon which personal service of such notice is provided.

4. No sign permit application will be accepted if:

(a) Each illegal sign has not been legalized, removed or included in the application.

(b) There is any other existing code violation located on the site of the proposed sign that has not been corrected or abated at the time of the application.

(c) The sign permit application is substantially the same as an application previously denied, unless: (i) twelve (12) months have elapsed since the date of the last

application, or (ii) new evidence or proof of changed conditions is furnished in the new application.

(d) The applicant has not submitted for processing or obtained any applicable use permit.

C. Standard sign permit review process.

1. After receiving a complete sign permit application, except for those sign permits that require planning commission or city council approval, the director shall cause the application to be reviewed and render a written decision to approve or deny the application within fifteen (15) calendar days.

2. Determinations on sign permit applications are to be guided by the standards and criteria set forth in this chapter. An application shall be approved whenever the proposed sign conforms to all design, size, height and other standards for signs subject to a permit requirement, as such requirements are set forth in this chapter.

3. The director may refer certain sign permit applications to the planning commission for review. Such referral should be made within ten (10) days of a complete application and acted upon by the planning commission within sixty (60) days or concurrent with any related and required project approval that is presented to the planning commission. The planning commission's approval may be conditional so as to ensure compliance with the purposes and provisions of this title.

4. An application may be granted either in whole or in part when more than one (1) sign or location is proposed by an applicant. When an application is denied in whole or in part, the determination of the director, planning commission, or city council must be in writing and must specify the grounds for such denial. Appeals of the determination of the director or planning commission shall be in accordance with the provisions of this title.

D. Sign permit review: master sign programs, modifications, and variances.

1. Master sign programs. The director has the authority to establish master sign programs with specific design standards to enable reasonable flexibility for unique circumstances and special design themes per Section 17.40.110B.

2. Exceptions to Regulations. The director may grant an administrative exception for signs deviating from the provisions of this chapter or any limitations imposed upon the use or general design of the sign and may authorize modifications from the permitted sign area, height or setback requirements consistent with the provisions of chapter 17.44 (entitlement – process and procedures) of this title.

3. Variances. The planning commission may grant variances from the provisions of this chapter for the erection and maintenance of signs when difficulties, unnecessary hardship or results inconsistent with the general purpose of this chapter would otherwise occur and would deprive the owner of rights enjoyed by others. The application, review process, and required findings for a sign variance will follow the applicable procedures set forth in chapter 17.44 (entitlement – process and procedures) of this title.

E. Time limit. Signs authorized by a permit issued pursuant to this chapter shall be erected and have obtained a final inspection within one (1) year of the issuance of the permit; otherwise, the approval will be null and void.

F. Revocation of a sign permit. Subject to the provisions of this title, the director may revoke any permit approval upon refusal of the permit holder to comply with the provisions

of this chapter after written notice of noncompliance and at least fifteen (15) days opportunity to cure.

Section 17.40.070 General location, height and area standards.

A. Location standards.

1. All freestanding signs, including pylon signs and monument signs shall be located entirely within the property on which the business is located.

2. Except as specifically provided in this chapter, no sign may be located upon or project over a public right-of-way.

3. Except as specifically provided in this chapter, no sign may extend above the eave line or parapet or the lowest point on the sloping roof of the building on which it is located.

4. Signs must be designed and located so as not to interfere with the unobstructed clear view of the public right-of-way and nearby traffic regulatory signs or any pedestrian, bicyclist or motor vehicle driver.

5. All signs authorized under this title must be placed on the side of the property facing on a public or private right-of-way.

B. Wall sign height. Wall sign height will be measured using the greatest vertical measurement from grade level along the base of the sign structure to the highest point of the sign. Sign height will be measured from the elevation of the top of the curb fronting such sign when within ten (10) feet of a street property line. When a sign is set back from a property line more than ten (10) feet, sign height will be measured from the elevation of the ground level surrounding the base of the sign.

C. Sign area computation. Sign area will be computed by drawing a series of no more than eight (8) straight lines enclosing the entire perimeter of the sign, including all text, emblems, arrows, ornaments, logos, or other media. Where individual letters or symbols are attached directly to the building surface, the sign area shall be the total area of the message computed by drawing a series of no more than eight (8) straight lines enclosing the area of the message.



Section 17.40.080 Design, material, construction and maintenance standards.

Each permanent approved sign shall comply with the following standards:

A. Materials and colors. All permanent signs shall be constructed of durable materials that are compatible in appearance to the building supporting or identified by the signs. Sign colors and materials shall be selected to be compatible with the existing building designs and shall contribute to legibility and design integrity.

B. Relationship to buildings. Each permanent sign located upon a site with more than one main building, such as a commercial, office or industrial complex shall be designed to incorporate the materials common or similar to all buildings.

C. Relationship to other signs. Where there is more than one (1) sign on a site or building, all permanent signs must have designs that similarly treat or incorporate the following design elements:

1. Type of construction materials;
2. Sign/letter color and style of copy;
3. Method used for supporting sign (i.e., wall or ground base);
4. Sign cabinet or other configuration of sign area;
5. Illumination; and
6. Location.

D. Sign illumination. Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to minimize light spillage onto the public right-of-way or adjacent properties, and in no event shall illumination cause such excessive glare as to constitute a potential hazard to traffic safety. Externally illuminated signs shall be lighted by screened or hidden light sources.

E. Construction. Every sign, and all parts, portions and materials thereof, shall be manufactured, assembled and erected in compliance with all applicable state, federal and city regulations including the city's building code and electrical code. Except for temporary signs and window signs, signs shall be constructed of durable materials and securely affixed to the ground, a building, or structure. Under no circumstances shall a permanent sign have an exposed back, exposed wires or conduit.

F. Maintenance. Every sign and all parts, portions and materials shall be maintained in good repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust, cracking, peeling, corrosion, graffiti or other states of disrepair. This maintenance obligation includes the replacement of malfunctioning or burned out lamps, replacement of broken faces, repainting of rust, chipped or peeling structures or faces within fifteen (15) calendar days following written notification by the city. When there is a change or discontinuance of a business or occupancy such that a sign no longer represents a place of business or occupancy, the sign shall be removed or the name of the prior business or occupant either removed, or the sign face covered in a manner that blends with the building or supporting structure.

G. Restoration of building or property upon sign removal. Within thirty (30) calendar days of the removal of a sign from a building wall or from the grounds of the premises if a freestanding sign, the wall of the building or the grounds of the premises shall be repaired and restored to remove any visible damage or blemish left by the removal of the sign.

Section 17.40.090 Temporary banners and signs for city-sponsored events and Moorpark non-profit organizations.

This purpose of this section is to provide additional signage opportunities for advertising annual or one time events that provide a direct benefit to the residents of Moorpark. Events sponsored by Moorpark non-profit organizations are permitted the following signs:

A. Temporary freestanding, wall mounted or window banners are permitted on commercial and industrial zoned property, with the permission of the property owner. A

total of ten (10) banners are allowed per event and only one per lot or site. The banners shall not exceed twenty (20) square feet in area and shall be affixed to either a building, wall, or staking. No banner shall be affixed above the roof eave line or on the roof. The banners shall not be installed earlier than fifteen (15) calendar days prior to the event and shall be removed within three (3) calendar days following the event. No subsequent event signing shall be permitted on the same site for a minimum of thirty (30) calendar days.

B. Temporary directional signs. Directional signs on commercial and industrial zoned property are permitted with the permission of the property owner. The signs shall not exceed four (4) square feet in area and three (3) feet in height. Directional signs shall not be located in the public right-of-way unless an encroachment permit is issued. A total of twenty (20) signs are allowed per event. The directional signs shall not be installed earlier than one (1) calendar day prior to the event and shall be removed within three (3) calendar days following the event.

Section 17.40.100 Permitted signage in residential, institutional, and open space zones.

In addition to any other signage permitted under this chapter or code, the following signage is permitted in residentially zoned properties, including institutional uses such as religious establishments, and for residential properties in commercial, industrial, or open space zones, but used for residential purpose, subject to the applicable regulations set forth in the table below:

RESIDENTIAL INSTITUTIONAL, AND OPEN SPACE ZONES			
Sign type	Sign Location	Maximum Sign Area, Height, and Width	Other Regulations
A. Residential single family			
1. <u>Name plates</u> . (no sign permit required)	Within the front yard setback.	<u>Area</u> : Two (2) square feet per face. Signs may be double faced. <u>Height</u> : Six (6) feet.	<u>Number</u> : One (1). <u>Design</u> : Limited to a wall or freestanding sign. <u>Illumination</u> : None.
2. <u>Neighborhood Identification</u> .	At primary entrances as determined by the community development director.	<u>Area</u> : Thirty-two (32) square feet. <u>Height</u> : Eight (8) feet.	<u>Number</u> : Two (2) per primary entrance. <u>Illumination</u> : None. <u>Maintenance</u> : Shall be maintained by the homeowners association or other responsible party approved by the community development director.
B. Residential multiple family			
1. <u>Monument sign</u>	Front yard or street side yard of a corner lot, provided, it is a minimum of five (5) feet from the front yard or street side yard property line.	<u>Area</u> : Twenty-four (24) square feet per side. Signs may be double faced. <u>Height</u> : Six (6) feet.	<u>Number</u> : One (1) per street frontage. <u>Illumination</u> : External. <u>Landscaping</u> : Minimum of four (4) feet of landscaping surrounding sign.

2. <u>Directory signs</u>	In a central location within a courtyard, or at the entrance to the buildings.	<u>Area:</u> Fifteen (15) square feet. <u>Height:</u> Five (5) feet. <u>Width:</u> Three (3) feet.	<u>Number:</u> Approved by sign permit. <u>Illumination:</u> Internal.
C. Institutional including but not limited to religious institutions, private schools, clubs, lodges.			
1. <u>Monument sign</u>	Front yard or street side yard of a corner lot, provided, it is a minimum of five (5) feet from the front yard or street side yard property line.	<u>Area:</u> Twenty-four (24) square feet per side. Signs may be double faced. <u>Height:</u> Six (6) feet.	<u>Number:</u> One (1). <u>Illumination:</u> External. <u>Landscaping:</u> Minimum of four (4) feet of landscaping surrounding sign.
2. <u>Directory signs</u>	In a central location approved by the community development director.	<u>Area:</u> Fifteen (15) square feet. <u>Height:</u> Five (5) feet. <u>Width:</u> Three (3) feet.	<u>Number:</u> One (1). <u>Design:</u> Architecturally compatible to the building. <u>Illumination:</u> Internal or external.
D. Construction signs.			
<u>Freestanding construction sign</u> on the site of a valid building permit (no sign permit required)	Front or street side yard of a corner lot placed a minimum of five (5) feet from the required front or street side yard.	<u>Area:</u> Six (6) square feet. per side. Signs may be double faced. <u>Height:</u> Eight (8) feet.	<u>Number:</u> One (1). <u>Illumination:</u> None. <u>Duration:</u> Within seven (7) calendar days after the issuance of a final building permit, the sign shall be removed.
E. Temporary freestanding signs.			
1. <u>On-site signs including garage and yard sale signs</u> (no sign permit required; posting of signs in the public rights-of-way, including on light poles, utility poles, traffic signals, street signs and sign posts, warning signs and any other signs in the public rights-of-way is prohibited)	On private property and not located in the public right-of-way. Signs placed on private property require written authorization from the property owner.	<u>Dimension:</u> Two feet by two feet (2 x 2). <u>Height:</u> Three (3) feet.	<u>Number:</u> One (1). <u>Duration:</u> No time limit if the sign has a noncommercial message. Garage and yard sale signs limited to sale days, maximum duration and number of sale days per year as specified in chapter 17.28 of this title, must be removed at the close of the sale activities each day.
2. <u>Off-site garage and yard sale signs</u> (no sign permit required; posting of signs in the public rights-of-way, including on light poles, utility poles, traffic signals, street signs and sign posts, warning signs and any other signs in the public rights-of-way is prohibited)	On private property and not located in the public right-of-way. Signs placed on private property require written authorization from the property owner.	<u>Dimension:</u> Two feet by two feet (2 x 2). <u>Height:</u> Three (3) feet.	<u>Number:</u> Six (6). <u>Duration:</u> Limited to sale days, maximum duration and number of sale days per year as specified in chapter 17.28 of this title, must be removed at the close of the sale activities each day.

F. Temporary Real estate signs on properties for lease or sale.			
<p>1. <u>Real estate signs</u> for single family residential homes in the residential open space or institutional zones. (no sign permit required)</p>	<p>Front yard or street side yard of a corner lot, provided, it is a minimum of five (5) feet from the front yard or street side yard property line. The signs shall be securely attached to a wall, building or freestanding.</p>	<p><u>Area:</u> Six (6) square feet. per side. Signs may be double faced. <u>Height:</u> Six (6) feet.</p>	<p><u>Number:</u> One (1). <u>Illumination:</u> None.</p>
<p>2. <u>Open house directional signs</u> for single family homes. (Placement in the public right-of-way requires the issuance of an annual encroachment permit.)</p>	<p>At least fifty (50) feet from the end of the curb return at a street corner. One (1) sign at each location. The signs shall not be fastened or attached in any way to a building, architectural element, wall or any street fixture.</p>	<p><u>Area:</u> Four (4) square feet per side. Signs may be double faced. <u>Height:</u> Three (3) feet.</p>	<p><u>Number:</u> Five (5).<u>Design:</u> Limited to displaying "Open House", an arrow, the residence address, and business name. <u>Illumination:</u> None. <u>Duration:</u> Restricted from 7:00 a.m. to 6:00 p.m. on caravan day and on Saturdays and Sundays.</p>
<p>3. <u>Real estate signs for multiple family homes</u></p>	<p>Front yard or street side yard of a corner lot, provided it is a minimum of five (5) feet from the required front yard or street side yard property line. The sign shall be securely affixed to a wall, building or freestanding.</p>	<p><u>Area:</u> Up to thirty-two (32) square feet per side. Signs may be double faced. <u>Height:</u> Eight (8) feet.</p>	<p><u>Number:</u> One (1) per street frontage, up to a maximum of three (3). <u>Illumination:</u> None. <u>Duration:</u> These signs are not intended to be permanent and shall be restricted to only when rental units are available for lease or rent.</p>
G. Subdivision sale signs and model home flagpoles.			
<p>1. <u>Subdivision sale off-site signs</u></p>	<p>On vacant residential, commercial or industrially-zoned property with written permission of the property owner. No tract sign shall be placed within five-hundred (500) feet of any other tract sign.</p>	<p><u>Area:</u> Thirty-two (32) square feet per side. Signs may be double faced. <u>Height:</u> Ten (10) feet.</p>	<p><u>Number:</u> Four (4). <u>Design:</u> The signs shall advertise only tracts located within the city. <u>Illumination:</u> None. <u>Duration:</u> After recordation of a final tract map signs may be erected for a maximum of eighteen (18) months from the date of issuance of the sign permit for such sign or until all lots have been sold, whichever occurs first. The community development director may grant six (6) month extensions. <u>Maintenance:</u> A deposit for removal of each sign shall be required as part of the sign permit.</p>

<p><u>2. Subdivision sale on-site signs</u></p>	<p>One (1) sign per major street entrance to the site.</p>	<p><u>Area:</u> Thirty-two (32) square feet per side. Signs may be double faced. <u>Height:</u> Ten (10) feet.</p>	<p><u>Number:</u> Two (2). <u>Design:</u> The signs shall advertise only tracts located within the city. <u>Illumination:</u> None. <u>Duration:</u> After recordation of a final tract map signs may be erected for a maximum of eighteen (18) months from the date of issuance of the sign permit for such sign or until all lots have been sold, whichever occurs first. The community development director may grant six (6) month extensions. <u>Maintenance:</u> A deposit for removal of each sign shall be required as part of the sign permit.</p>
<p><u>3. Subdivision and model home on-site flagpoles</u></p>	<p>Within two-hundred (200) feet of the nearest model home and no closer than two-hundred (200) feet of any occupied residence. Poles shall be at least three (3) feet from the tract boundary.</p>	<p><u>Area:</u> Twelve (12) square feet in area for each flag. <u>Height:</u> Fourteen (14) feet for each pole. A maximum of two (2) flagpoles per model home and one (1) flag per pole.</p>	<p><u>Number:</u> Six (6). <u>Maintenance:</u> To be well maintained and kept in good condition (i.e., not tattered or torn).</p>
<p>H. Campaign signs</p>			
<p><u>Campaign signs</u> (No permit required)</p>	<p>Campaign signs may be placed in the front, side or rear yard of any parcel that fronts, sides or rears on a public street. No campaign sign may be placed in or encroach into a public right-of-way.</p>	<p><u>Area.</u> No campaign sign may exceed sixteen (16) square feet in total area per face. Signs may be double faced. <u>Height.</u> No freestanding campaign sign may exceed ten (10) feet in height.</p>	<p><u>Number.</u> Each parcel may have one temporary freestanding campaign sign for each political candidate or issue on each street frontage. <u>Duration.</u> All campaign signs must be removed within seven (7) days following the election for which they are intended. If not timely removed, the sign will be deemed to be abandoned and may be removed by the city without notice. <u>Illumination.</u> None.</p>

Section 17.40.110 Commercial/Industrial zones.

In addition to any other signage permitted under this chapter or code, the following signs are permitted in commercial and industrial zoned properties, except for those properties within the boundaries of the Downtown Specific Plan (see section 17.40.120) subject to the applicable regulations set forth in the table below:

COMMERCIAL/INDUSTRIAL ZONES			
Sign type	Sign Location	Maximum Sign Area, Height, and Width	Other Regulations
A. Not within a center (three or less businesses on a single lot)			
1. <u>Monument signs</u>	One-half (1/2) of the required front or street side setback or four (4) feet, whichever is greater.	<u>Area:</u> Thirty-six (36) square feet per side. Signs may be double faced. <u>Height:</u> Six (6) feet.	<u>Number:</u> One (1) per street frontage. <u>Illumination:</u> Internally in commercial zones. Internal or external in industrial zones. <u>Landscaping:</u> Surrounded by a minimum four-foot by four-foot (4 x 4) landscaped planter area. <u>Copy:</u> Eighteen (18) inch maximum letter height in commercial zones. Twenty-four (24) inch (maximum letter height in industrial zones.
2. <u>Wall signs for buildings/tenant (less than 10,000 square feet of floor area)</u>	Affixed to the building wall, eave or overhang facing a parking area, building courtyard, exterior walkway or street frontage.	<u>Area:</u> Twenty (20) square feet per leaseable space or 0.75 square feet per lineal foot of business/tenant frontage, whichever is less.	<u>Number:</u> Three (3) signs per leaseable space but no more than one (1) sign per leaseable frontage. <u>Illumination:</u> Internal.
3. <u>Wall signs for building/tenant (more than 10,000 square feet of floor space)</u>	Shall be affixed to the building wall, eave or overhang facing a parking area or street frontage or may be designed and incorporated into the roof (see roof definition).	<u>Area:</u> One (1) square foot per lineal foot of business/tenant frontage. <u>Height:</u> Shall not extend beyond the roof line.	<u>Number:</u> Three (3) signs, but no more than one (1) per business/tenant frontage. <u>Illumination:</u> Internal.
4. <u>Corporate flag</u>	Shall be flown on a flag pole at a location approved by the Community Development Director	<u>Area:</u> Twenty-four (24) square feet. <u>Height:</u> Shall not extend beyond the roof line.	<u>Number:</u> One (1) flag. <u>Illumination:</u> None.

<p>B. Centers (four or more businesses). A sign program shall be submitted to the Community Development Director for review and approval prior to the erection of any sign. The program shall show the location, style and type of signage. The sign program shall include no more than four sign colors, excluding colors for business logos. Business logos shall count in the calculation of sign area. (For centers with existing sign programs, conformance to the sign criteria of this subsection shall occur within twenty-four (24) months of the effective date of this ordinance.)</p>			
<p>1. <u>Monument signs</u></p>	<p>One-half (1/2) of the required front or street side setback or four (4) feet, whichever is greater.</p>	<p><u>Area:</u> Thirty-six (36) square feet per side. Signs may be double faced. <u>Height:</u> Six (6) feet.</p>	<p><u>Number:</u> One (1) per street frontage. <u>Illumination:</u> Internal in commercial zones. Internal or external in industrial zones. <u>Landscaping:</u> Four (4) foot wide planter surrounding sign.</p>
<p>2. <u>Pylon signs for commercial retail shopping centers of 50,000 square feet or larger located on Los Angeles Avenue.</u></p>	<p>One-half of the required front or street side setback area but no closer than four (4) feet from the property line, whichever is greater. Pylon signs along the same side of Los Angeles Avenue shall be no closer than five-hundred feet of one another.</p>	<p><u>Area:</u> Three-hundred (300) square feet. <u>Height:</u> Twenty-four (24) feet. <u>Width:</u> Twelve (12) feet.</p>	<p><u>Number:</u> One (1) per street frontage. <u>Sign Copy:</u> Center name and the name of up to five(5) tenants. The center name shall not include any tenant name. For centers with theaters, changeable copy signage within the overall allowable sign square footage is permitted. <u>Illumination:</u> Internal, but no exposed neon lighting or exposed bulb lighting. <u>Landscaping:</u> A minimum twelve-foot by twelve-foot (12 x 12) wide landscaped planter area surrounding the sign base.</p>
<p>3. <u>Wall signs for major building/tenant (more than 10,000 square feet of retail space)</u></p>	<p>Shall be affixed to the building wall, eave or overhang facing a parking area or street frontage or may be designed and incorporated into the roof (see roof definition).</p>	<p><u>Area:</u> One (1) square foot per lineal foot of business/tenant frontage. <u>Height:</u> Shall not extend beyond the roof line.</p>	<p><u>Number:</u> Three (3) signs, but no more than one (1) per business/tenant frontage. <u>Illumination:</u> Internal.</p>
<p>4. <u>Wall signs for minor building/tenant (less than 10,000 square feet of retail space)</u></p>	<p>Shall be affixed to the building wall, eave or overhang facing a parking area or street frontage or may be designed and incorporated into the roof (see roof definition).</p>	<p><u>Area:</u> One (1) square foot per lineal foot of business/tenant frontage. <u>Height:</u> Shall not extend above the roof line.</p>	<p><u>Number:</u> Three (3) signs, but no more than one per business/tenant frontage. <u>Illumination:</u> Internal.</p>

5. <u>Corporate flag</u>	Shall be flown on a flag pole at a location approved by the Community Development Director	<u>Area:</u> Twenty-four (24) square feet. <u>Height:</u> Shall not extend beyond the roof line.	<u>Number:</u> One (1) flag per center. <u>Illumination:</u> None.
6. <u>Under-canopy signs.</u>	Shall be mounted perpendicular to the business frontage using a flexible device such as a chain or cable under the canopy.	<u>Area:</u> Four (4) square feet. <u>Height:</u> Maintain a clearance of not less than eight (8) feet from the bottom of the sign to the walkway.	<u>Number:</u> One (1) per canopy. <u>Illumination:</u> External.
7. <u>Directory signs for multi-tenant industrial, business or office centers.</u>	In a central location within a courtyard, or at the entrance to the buildings, campus or center.	<u>Area:</u> Fifteen (15) square feet. <u>Height:</u> Five (5) feet. <u>Width:</u> Three (3) feet.	<u>Number:</u> Approved by sign permit. <u>Illumination:</u> External or internal.
8. <u>Window signs</u> (no sign permit required and all signing shall be on the interior side of the window).	Windows facing a parking area, courtyard or pedestrian passage way	<u>Area:</u> Twenty-five percent (25%) of the total window area.	<u>Design:</u> No more than twenty-five percent (25%) of any window shall contain signing. <u>Illumination:</u> None, except for neon signs. <u>Limitations:</u> If window signs are used in-lieu of wall signs, no temporary window signs are allowed.
9. <u>Temporary window signs</u> (no sign permit required).	Windows facing a parking area, courtyard or pedestrian passage way	<u>Area:</u> Twenty-five percent (25%) of the total window area, not to exceed a total of fifty percent (50%) of the window.	<u>Duration:</u> Fifteen (15) days per special event up to four (4) times per calendar year with at least thirty (30) days between events. <u>Illumination:</u> None.
10. <u>Temporary banners</u>	Banners shall be securely affixed to a building or wall and not attached to trees or posts.	<u>Area:</u> Twenty (20) square feet. <u>Height:</u> No higher than the eave of the roof of the building.	<u>Duration:</u> Thirty (30) days for grand openings. Fifteen (15) days per special event four (4) times per calendar year with at least thirty (30) days between events.
C. Clocks and thermometers.			
<u>Freestanding or wall mounted.</u>	On a building wall, monument or pylon sign.	<u>Area:</u> Twelve (12) square feet and without commercial display or advertisement.	<u>Number:</u> One (1) per street frontage. <u>Design:</u> Architecturally compatible to the building(s) design. <u>Illumination:</u> Internal.
D. Drive-through restaurants.			
<u>Menu board sign</u>	Adjacent to the drive-through queue.	<u>Area:</u> Sixteen (16) square feet for each menu board. <u>Height:</u> Eight (8) feet.	<u>Number:</u> Two (2). <u>Illumination:</u> Internal.

E. Service stations.			
1. <u>Monument signs</u>	One-half (1/2) of the required front or street side setback area but no closer than four (4) feet, whichever is greater.	<u>Area:</u> Thirty-six (36) square feet per face. Double-signs may be allowed. <u>Height:</u> Six (6) feet. <u>Width:</u> Six (6) feet.	<u>Number:</u> One (1) per street frontage. <u>Illumination:</u> Internal. <u>Landscaping:</u> Four-foot by four-foot (4 x 4) planter surrounding sign.
2. <u>Under canopy signs</u>	Shall be mounted perpendicular to the business frontage using a flexible device such as a chain or cable under the canopy.	<u>Area:</u> Twenty (20) square feet per side. Signs may be double faced. <u>Height:</u> Eight (8) foot clearance from the bottom of the sign to the walkway.	<u>Number:</u> One (1) per business frontage. <u>Illumination:</u> None.
F. Theater			
1. <u>Marquee signs</u>	Front elevation.	<u>Area:</u> Total sign area two-hundred (200) square feet, with fixed copy area fifty (50) square feet and changeable copy area one-hundred-fifty (150) square feet. <u>Height:</u> Minimum of ten (10) feet to the bottom of the sign. The top of the sign shall be at least four (4) feet lower than the ridgeline or plate line of the roof.	<u>Number:</u> One (1). <u>Illumination:</u> Internal and neon. <u>Mounting:</u> Projecting from the front elevation wall. Any projection over the public right-of-way requires an encroachment permit.
2. <u>Freestanding changeable copy sign</u>	One-half (1/2) of the required front or street side setback area but no closer than four (4) feet from the property line, whichever is greater.	<u>Area:</u> One-hundred-fifty (150) square feet. <u>Height:</u> Twenty-four (24) feet. <u>Width:</u> Twelve (12) feet.	<u>Number:</u> One (1) sign per frontage. <u>Illumination:</u> Internal. <u>Landscaping:</u> A minimum four (4) foot wide landscaped planter area surrounding the sign base.
3. <u>Wall signs</u>	Front and side elevations.	<u>Area:</u> Twenty (20) square feet per elevation. <u>Height:</u> No higher than the wall on which it is located.	<u>Number:</u> One (1) per building face. <u>Illumination:</u> Internal.
4. <u>Now showing and coming attractions case signs</u>	Front elevation.	<u>Area:</u> Twelve (12) square feet for each sign. <u>Height:</u> Eight (8) feet to the top of the case in which sign is mounted.	<u>Number:</u> Four (4). <u>Design:</u> Enclosed within a lockable case architecturally compatible to the building design. <u>Illumination:</u> Internal. <u>Mounting:</u> Parallel to the wall.

G. Temporary real estate signs on properties for lease or sale.			
<p><u>Freestanding, wall mounted or window.</u></p>	<p>Freestanding signs shall be located in the required front or street side setback. Building sign shall be affixed to the building wall or displayed in the window.</p>	<p><u>Freestanding Sign Area:</u> Thirty-two (32) square feet per face. Double faced sign may be allowed. <u>Building Sign Area:</u> Sixteen (16) square feet. <u>Freestanding Sign Height:</u> Eight (8) feet for freestanding signs. <u>Building Sign Height:</u> Not higher than the eave line of the roof.</p>	<p><u>Number:</u> One (1) freestanding sign per street frontage. One (1) building sign per each leaseable space. <u>Illumination:</u> None.</p>
H. Campaign signs.			
<p><u>Campaign signs. (no sign permits required)</u></p>	<p>Campaign signs may be placed in the front, side or rear yard of any parcel that fronts, sides or rears on a public street. No campaign sign may be placed in or encroach into a public right-of-way.</p>	<p><u>Area.</u> No campaign sign may exceed thirty-two (32) square feet in area per face. A campaign sign may be double faced if it is placed perpendicular to the right-of-way. <u>Height.</u> No freestanding campaign sign may exceed ten (10) feet in height.</p>	<p><u>Number.</u> Each parcel may have one (1) temporary freestanding campaign sign for each political candidate or issue on each street frontage. <u>Duration.</u> All campaign signs must be removed within seven (7) days following the election for which they are intended. If not timely removed, the sign will be deemed to be abandoned and may be removed by the city without notice. <u>Illumination.</u> None</p>

Section 17.40.120 Downtown specific plan area.

A. In recognition of the unique character of the downtown area, a specific plan has been adopted. Signage is an important component of the overall character of the downtown area, and therefore unique sign regulations have been created. Approval of new signs or modification of existing signs shall conform with the requirements of this chapter and with the requirements of this section.

B. Design compatibility. The design of all signs shall be compatible with the architectural character, the exterior materials and color(s) of the building. Sign colors shall also be compatible with the architecture of the building. Up to a maximum of three colors may be used. Materials used for the sign or the support structures of the sign may include, but are not limited to, wood, wrought-iron, and painted sheet metals (if the entire surface is painted).

C. Sign placement. Signs shall be located on the buildings in a manner that does not obscure the building's architectural detail.

D. Lighting. All externally lighted sources shall be shielded so light or glare is not directed toward surrounding properties nor shall lighting be directed upward to the sky.

Creative and artistic applications of neon used in signs and other graphics may be permitted.

E. Prohibited signs. In addition to the signs prohibited by section 17.40.130, the following additional signs are prohibited:

1. Pylon signs; and
2. Subdivision signs.

F. Signs allowed in the downtown area. In lieu of those signs allowed in commercial and industrial zones, as set forth in Section 17.40.110, the following signs are permitted in the downtown subject to the regulations set forth below:

DOWNTOWN SPECIFIC PLAN AREA			
Sign type	Sign Location	Maximum Sign Area, Height, and Width	Other Restrictions
1. Monument signs for buildings with a fifteen (15) foot or greater setback).			
<u>Monument signs</u>	One-half (1/2) of the required front or street side setback or four (4) feet, whichever is greater. The sign shall be located in the fifteen foot setback area.	<u>Area:</u> Thirty-six (36) square feet per face. Double faced signs may be allowed. <u>Height:</u> Six (6) feet.	<u>Number:</u> One (1) per street frontage. <u>Copy:</u> Eighteen (18) inch maximum letter height. <u>Illumination:</u> None. <u>Landscaping:</u> Four-foot by four-foot (4 x 4) planter surrounding sign.
2. Wall signs (not including temporary wall signs for markets).			
<u>Wall signs</u>	Front, side and rear elevations.	<u>Area:</u> Twenty (20) square feet per building tenant for front elevations. One-half (1/2) square foot for each foot of side building frontage to a maximum of ten (10) square feet for side and rear elevations. <u>Height:</u> No higher than the wall on which it is located. <u>Length:</u> No greater than seventy-five percent (75%) of the length of the wall for front elevations.	<u>Number:</u> One (1) per building tenant for front elevations. One (1) sign per building tenant for side and rear elevations up to a maximum of two (2) signs. <u>Illumination:</u> Internal. <u>Copy:</u> Eighteen (18) inch maximum letter height. <u>Mounting:</u> Parallel to the wall and not projecting more than eight (8) inches.
3. Theater signs.			
a. <u>Marquee signs</u>	Front elevation.	<u>Area:</u> Total sign area one-hundred-forty (140) square feet, with fixed copy area thirty (30) square feet and changeable copy area one-hundred-ten (110) square feet. <u>Height:</u> Minimum of ten (10) feet to the bottom of the sign. The top of the sign shall be at	<u>Number:</u> One (1). <u>Design:</u> Architecturally compatible to the building(s) design that the sign identifies. <u>Illumination:</u> Internal and neon. <u>Mounting:</u> Projecting from the front elevation wall. Any projection over the public right-of-way requires an encroachment permit.

DOWNTOWN SPECIFIC PLAN AREA			
Sign type	Sign Location	Maximum Sign Area, Height, and Width	Other Restrictions
		least four (4) feet lower than the ridgeline or plate line of the roof.	
b. <u>Wall signs</u>	Front and side elevations.	<u>Area:</u> Twenty (20) square feet per elevation. <u>Height:</u> No higher than the wall on which it is located.	<u>Number:</u> One (1) per building face. <u>Design:</u> Architecturally compatible to the building design. <u>Illumination:</u> Internal. <u>Mounting:</u> Parallel to the wall.
c. <u>Now showing and coming attractions case signs</u>	Front elevation.	<u>Area:</u> Twelve (12) square feet for each sign. <u>Height:</u> Eight (8) feet to the top of the case in which sign is mounted.	<u>Number:</u> Four (4). <u>Design:</u> Enclosed within a lockable case architecturally compatible to the building design. <u>Illumination:</u> Internal. <u>Mounting:</u> Parallel to the wall.
4. Temporary wall signs for food markets.			
<u>Temporary wall signs advertising market specials. (No sign permit is required.)</u>	Side elevation.	<u>Area:</u> Seven (7) square feet with maximum dimensions of 3.5 feet by 2.0 feet. <u>Height:</u> No higher than the wall on which it is located or eight (8) feet, whichever is less.	<u>Number:</u> Six (6), evenly distributed a minimum of every ten (10) feet. <u>Design:</u> Within a frame which is architecturally compatible to the building(s) design. <u>Illumination:</u> None. <u>Copy:</u> Eighteen (18) inch maximum letter height. <u>Mounting:</u> Parallel to the wall and not projecting more than eight (8) inches. <u>Duration:</u> Two (2) weeks for each market special.
5. Projecting/hanging signs.			
a. <u>Projecting or hanging signs</u>	Centered above the entrance to the business and mounted perpendicular to the business frontage.	<u>Area:</u> Nine (9) square feet. <u>Height:</u> At least eight (8) feet but no higher than twelve (12) feet from the bottom of the sign to the grade below the sign.	<u>Number:</u> One (1) per business. <u>Copy:</u> Eighteen (18) inch maximum letter height. Logos are encouraged. <u>Illumination:</u> None. <u>Mounting:</u> May hang over the public right-of-way with issuance of an encroachment permit.
b. <u>Barber poles</u>	On the primary business frontage as determined by the community development director.	<u>Area:</u> Ten (10) square feet with maximum dimensions of 2.75 feet by 3.5 feet. <u>Height:</u> At least eight (8) feet but no higher than twelve (12) feet	<u>Number:</u> One (1) per barber shop. <u>Illumination:</u> None. <u>Mounting:</u> May hang over the public right-of-way with issuance of an encroachment permit.

DOWNTOWN SPECIFIC PLAN AREA			
Sign type	Sign Location	Maximum Sign Area, Height, and Width	Other Restrictions
		from the bottom of the sign to the grade below the sign.	
6. Under canopy signs.			
<u>Under canopy signs</u>	Centered above the entrance to the business and mounted perpendicular to the business frontage.	<u>Length:</u> Seventy-five percent (75%) of the lineal frontage of the front elevation. <u>Height:</u> At least eight (8) feet but no higher than twelve (12) feet from the bottom of the sign to the grade below the sign.	<u>Number:</u> One (1). <u>Copy:</u> Eighteen (18) inch maximum letter height. Logos are encouraged. <u>Illumination:</u> None. <u>Mounting:</u> May hang over the public right-of-way with issuance of an encroachment permit.
7. "A" frame, sandwich board signs for restaurants and theaters.			
<u>"A" frame signs</u>	In front of the business. If located in the public right-of-way minimum ADA requirements shall be met as well as the issuance of an encroachment permit.	<u>Area:</u> Seven (7) square feet, maximum dimensions of 2.0 feet by 3.5 feet.	<u>Number:</u> One (1). <u>Design:</u> Architecturally compatible to the building(s) design. Eighteen (18) inch maximum letter height. Logos are encouraged. <u>Illumination:</u> None. <u>Mounting:</u> Shall not be affixed to the ground. An encroachment permit is required if it is in the public right-of-way.
8. Campaign signs			
<u>Campaign signs. (no sign permits required)</u>	Campaign signs may be placed in the front, side or rear yard of any parcel that fronts, sides or rears on a public street. No campaign sign may be placed in or encroach into a public right-of-way.	<u>Area.</u> No campaign sign may exceed thirty-two (32) square feet in area per face. A campaign sign may be double faced if it is placed perpendicular to the right-of-way. <u>Height.</u> No freestanding campaign sign may exceed ten (10) feet in height.	<u>Number.</u> Each parcel may have one (1) temporary freestanding campaign sign for each political candidate or issue on each street frontage. <u>Duration.</u> All campaign signs must be removed within seven (7) days following the election for which they are intended. If not timely removed, the sign will be deemed to be abandoned and may be removed by the city without notice. <u>Illumination.</u> None

Section 17.40.130 Prohibited signs.

Except as otherwise specifically provided in this chapter, the following signs are prohibited:

- A. Abandoned signs.
- B. A-frame, portable or handheld signs displaying a commercial message.
- C. Bench signs.

- D. Barber poles.
- E. Flashing signs.
- F. Flags with a commercial messages, except corporate flags per section 17.40.110A.4 and 17.40.110B.5.
- G. Mobile and portable signs.
- H. Off-site signs.
- I. Projecting signs.
- J. Roof signs.
- K. Any sign which emits sound or an odor.
- L. Any sign erected in such a manner that any portion of the sign or its support is attached to or will interfere with any free use of any fire escape, exit, or will obstruct any stairway, door, ventilator or window;
- M. Unsafe signs.
- N. Signs erected or attached to any utility pole;
- O. Signs erected in such a manner that it will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.
- P. Signs attached to the exterior surfaces of windows, except as required by state or federal law and where said law preempts city regulations.
- Q. Inflatable signs and balloons in excess of two (2) feet in diameter;
- R. Hand held commercial signs.

Section 17.40.140 Legal nonconforming signs.

A. A legal nonconforming sign may be repaired or restored to its pre-existing condition, provided that the damage is not in excess of fifty percent (50%) of its value, as determined by the city's building official. Prior to any repairs, a sign permit application shall be submitted and approved in accordance with the requirements of Section 17.40.060. Nonconforming signs which are damaged in excess of fifty percent (50%) of its value, as determined by the city's building official, or that are abandoned or unmaintained, shall be amortized in accordance with the provisions of chapter 17.52 (nonconformities and substandard lots) of this title.

B. Special circumstances. In accordance with Business & Profession Code section 5499, no legal nonconforming sign will be required to be removed on the sole basis of its height or size if special topographic circumstances would result in a material impairment of visibility of the sign or the owner's or user's ability to adequately and effectively continue to communicate to the public through the use of the sign. The owner or user may maintain the sign at the premises and at a location necessary for continued public visibility at the height or size at which the sign was previously lawfully erected pursuant to all applicable codes, regulations and permits. Any such sign will be deemed to be in conformance with this chapter.

Section 17.40.150 Unsafe signs.

Any unsafe sign may be removed by the city without prior notice. Alternatively, the director may issue a notice of violation and give the permit holder, property owner or person in possession and control of the property no more than fifteen (15) days to cure the violation. In the case of an unsafe sign removed by the city, the costs of such removal and

storage shall be borne by the permit holder, property owner, or person in possession and control of the property, as applicable, and may be collected by the city in the same manner as it collects any other debt or obligation. No unsafe sign that has been removed and stored by the city may be released until the costs of removal and storage have been paid. If an unsafe sign remains unclaimed for a period of thirty days after notice of removal is sent to the permit holder, property owner, or person in possession and control of the property, it will be deemed to be unclaimed personal property and may be disposed of in accordance with the law.

Section 17.40.160 Nuisance and abatement, enforcement and penalties.

A. Nuisance Abatement. The city shall follow the procedures set forth in Business and Professions Code section 5499.1 et seq., for the nuisance abatement of permanent signs that are determined to be illegal.

B. Enforcement and Penalties. Violations of this chapter are punishable as set forth in chapter 17.56 (Enforcement and Penalties) of this title.

Section 17.40.170 Appeals.

A. Any person seeking to appeal a decision of the director granting or denying an application for issuance of a sign permit, revoking a permit or ordering the remediation or removal of a sign, may appeal such action first to the planning commission, and if dissatisfied with the decision of the planning commission, then to the city council in accordance with the provisions of chapter 17.44 (entitlement – process and procedures) of this title.

B. The city shall expeditiously schedule a hearing before the planning commission or city council, as applicable, not later than thirty (30) days after the notice of appeal is received by the city; provided, however, the hearing may be held after such thirty (30) day period upon the request or concurrence of the appellant. Action on the appeal shall be taken at the time of the hearing by the planning commission or city council, as applicable, unless the appellant requests a continuance. The time for compliance of any original order will be stayed during the pendency of any hearing before the planning commission or city council.

C. Any person dissatisfied with the final action taken by the city council may seek prompt judicial review of such decision pursuant to California Code of Civil Procedure Section 1094.8.