

**Agenda of an Adjourned Regular Meeting of the National City
City Council of the City of National City**

Sign Ordinance Workshop and Brown Act Presentation

**Council Chambers
1243 National City Boulevard
National City, California
Tuesday, September 22, 2015 – 5:00 p.m.**

Open To The Public

Please complete a request to speak form prior to the commencement of the meeting and submit it to the City Clerk.

It is the intention of your City Council of the City of National City to be receptive to your concerns in this community. Your participation in local government will assure a responsible and efficient City of National City. We invite you to bring to the attention of the City Manager/Executive Director any matter that you desire the City Council of the City of National City to consider. We thank you for your presence and wish you to know that we appreciate your involvement.

PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

NOTE: Pursuant to state law, items requiring Council of the City of National City action must be brought back on a subsequent Council of the City of National City Agenda unless they are of a demonstrated emergency or urgent nature.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Council Meetings. Audio headphones are available in the lobby at the beginning of the meetings.

***Audio interpretación en español se proporciona durante sesiones del Consejo Municipal.
Los audiófonos están disponibles en el pasillo al principio de la junta.***

**Council Requests That All Cell Phones
And Pagers Be Turned Off During City Council Meetings**

OPEN TO THE PUBLIC

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)

WORKSHOP

1. Amendment to Title 18 (Zoning) Chapter 18.47 of the National City Municipal Code pertaining to Signs and Outdoor Advertising Displays and seeking City Council direction on proposed changes. (Planning/City Attorney)

PRESENTATION

2. The Brown Act: Maintaining Transparency in an era of evolving technology. (City Attorney)

ADJOURNMENT

**Regular Meeting of the City Council and Community Development Commission -
Housing Authority of the City of National City - Tuesday – October 6, 2015 - 6:00 p.m. –
Council Chambers, National City, California**

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: September 22, 2015

AGENDA ITEM NO. | 1

ITEM TITLE:

Amendment to Title 18 (Zoning) Chapter 18.47 of the National City Municipal Code pertaining to Signs and Outdoor Advertising Displays and seeking City Council direction on proposed changes.

PREPARED BY: ^{MR} Claudia Silva, Martin Reeder

DEPARTMENT: City Attorney, Planning

PHONE: 619-336-4220

APPROVED BY: 

EXPLANATION:

The City Council held a public hearing on proposed changes to amend Title 18.47 of the National City Municipal Code pertaining to Signs and Outdoor Advertising Displays at a Public Hearing on May 19, 2015. Questions were raised about non-commercial sign size increases during election periods, at which time staff was asked to research similar language in the City of Chula Vista and City of San Diego Municipal Codes.

At a hearing held on June 2, 2015, The Council continued the item to a workshop in order to discuss the item at length. The attached background report discusses changes already proposed by staff, and offers options for potential additional changes.

Staff is seeking direction from the City Council on proposed and potential changes to the Sign Ordinance.

FINANCIAL STATEMENT:

ACCOUNT NO. N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

Not a project per CEQA

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Provide direction to staff on proposed and potential changes to Chapter 18.47 (Signs and Outdoor Advertising)

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Background Report
2. Existing Chapter 18.47
3. Proposed Chapter 18.47
4. Strike-through/underline version of Chapter 18.47
5. Temporary Political (Campaign) Signs Posting Rules (City of Carlsbad)

BACKGROUND REPORT

History

With the exception of minor amendments related to political signage and mobile billboards (among others) in 2009, the sign chapter of the Land Use Code had been mostly unchanged for several years prior to 2011. The most recent iteration of the Land Use Code was adopted on January 9, 2012, which included an update of the Sign Ordinance (Chapter 18.47). The new ordinance carried over much of the preceding language, but added a section related to digital advertising signage and a quick reference table. The digital advertising signage section relied on industry language and standards of the time, which are becoming outdated.

Purpose

The general purpose of this amendment is to amend the chapter with regard to the allowed and disallowed temporary and permanent signs on various land uses. The amendments include time, place and manner restrictions, prohibitions and allowances, and remedies and enforcement. A copy of the previous and proposed sign ordinances are attached for your review. As part of the amendment, the title of the chapter will now be "Signs on Private Property and Public Property not Owned by the City or its Affiliated Agencies". This differentiates such signs from signs on City-owned property, which are regulated by Municipal Code Chapter 13.28.090 - Permanent, private party signs on city property.

Analysis

There are several additions to the Sign Ordinance, beginning with section 18.47.020, which lays out the *Authority, Scope, and Intent* of the Sign Ordinance. This is in concert with the *Purpose* section, which was carried over from the previous ordinance. These sections are similar to other existing code sections, which reference applicable laws for authority, and define the scope of activities subject to the ordinance. The *Intent* section refers to the protection of First Amendment rights and that the Ordinance comports with all applicable principles of federal and state, constitutional, statutory and administrative law.

Section 18.47.030 – Basic Principles – includes the following sections:

- Enforcement Authority – The Director (City Manager or assign);
- Administrative Interpretation – Staff, staff referral to Planning Commission;
- Responsibility for Compliance – Sign owner, permit holder, those in control of the property, property owner/s;
- Onsite-Offsite Distinction – Applies to commercial messages only;
- Message Neutrality – Sign regulation in a manner that does not favor commercial speech over noncommercial speech and that does not regulate protected noncommercial speech by message content;
- Message Substitution – [see below]

Message substitution

Court decisions on signs often make a distinction between "commercial speech" and "noncommercial speech." Commercial speech is regular advertising, seeking customers and clients, debate in the marketplace of goods and services. Noncommercial speech

is issue advocacy and expression on ideas; most commonly, political and/or religious messages.

In the most famous sign case, *Metromedia v. San Diego* (1981), the US Supreme Court announced three basic principles for the law of signs: 1) local governments may ban billboards, in the interests of safety and community esthetics; 2) when regulating signs, local governments may not favor commercial speech over noncommercial speech; and 3) local governments may not favor particular types of noncommercial speech over others.

An example of "favoring commercial speech" might be allowing real estate for sale signs, but no other signs, in certain locations. An example of favoring a particular type of noncommercial speech might be allowing political message signs, but disallowing religious message signs, in certain places.

To avoid any inadvertent violation of rules 2 (favoring commercial) or 3 (favoring particular types of noncommercial), the new sign code includes a strong "message substitution" provision. It means that anywhere anyone has a sign, or a right to a sign, they may substitute a noncommercial message in place of any commercial message, or in place of some other noncommercial message. This substitution of noncommercial messages does not require a new permit, so long as there is no change in the physical structure of the sign.

Signs Exempt from Sign Permit Requirement [aka "Temporary Signs"] (18.47.060)

The section related to residential signs has been modified to reference size, placement, and message content regulations. Specific changes include:

- Signs may be free standing or mounted on doors, walls, or fences; flag poles not exceeding 25 feet cumulative of linear footage; roof-mounted signs prohibited;
- Any variety or combination of constitutionally protected noncommercial speech (including but not limited to political / election signs);
- Signs with other commercial messages, general advertising for hire, or any message whose public display is illegal are prohibited.
- Maximum display area of 16 square feet per parcel at all times; except during the Election Period this allowance may be increased up to 32 square feet per parcel per street frontage visible from the public right of way. The maximum display area is the cumulative total of all signs that are subject to the area limit.

References to temporary signs for *construction* or *property for lease or sale* are still included. In addition, the section for *Temporary Signs for Events* is now *Temporary Signs for Special Events*. Special Events are also now defined in section 18.47.040.

This section regulates the time period for display and the maximum size per street frontage. The signs are permitted in Commercial, Industrial, Multi-Family, Mixed-Use, and Institutional zones and are limited to 32 square feet per street frontage. Generally speaking, special event signage may be displayed no more than 30 days prior and 5 days after a special event.

Other additions to section 18.47.060 include added language referring to banners, flags, and pennants, as well as a new requirement for identification tags for signs during the Election Period. The tags would allow City staff to more easily identify the parties responsible for posting (e.g. private sign posting company, political campaign staff etc.), and allow for more efficient removal after the Election Period.

The remainder of the changes in the Sign Ordinance is related to updating language, terms, titles, clarifying potential confusing references, adding cross-references etc. Staff has also removed the quick reference table. A version of the table will still be maintained, but is intended to be used at the counter for staff and client reference. The table contains size and location data for each zone, but would not be a formal part of the Land Use Code. The table would be for reference only; the text contained in the Land Use Code text would govern and prevail in the case of a conflict of information. The reference table is attached.

General Plan Conformance

The amendment is consistent with several General Plan policies that are intended to encourage quality signs that promote interest and function in a non-intrusive manner. The policies are as follows:

Policy LU-9.5: Apply design standards that promote the use of high quality building materials, architectural and site designs, landscaping, signage, and amenities.

Policy LU-11.9: Encourage the improvement of existing signage to help promote a more attractive street scene in business districts.

Policy NN-4.7: Minimize light pollution through attention to site design including the appropriate placement of outdoor lighting and signage, and discouraging lighting where not required for safety and or business operations.

Hearings

The City Council held a public hearing on the proposed changes at a public hearing on May 19, 2015. Questions were raised about non-commercial sign size increases during election periods, at which time staff was asked to research similar language in the City of Chula Vista and City of San Diego Municipal Codes. At a subsequent hearing held on June 2, 2015, the Council continued the item to a workshop in order to discuss the item at length.

Other Jurisdiction Code language related to signs during events

City of Chula Vista

19.60.600 Specialty signs.

K. Temporary Noncommercial Signs During Certain Periods. In addition to signage otherwise allowed in any zone, during the period of four calendar months preceding any scheduled election and up to and including 10 calendar days following such election, temporary signs bearing noncommercial messages (including but not limited to messages on the topics of politics, religion, science, arts, philosophy, etc.) may be displayed on private property (not including private property which is also public right-of-way), without permit, subject to the owner's consent, and also subject to:

1. In agricultural and residential zones:

- a. No sign may exceed five square feet in area.
- b. Double-faced signs as defined in this chapter are permitted.
- c. No sign shall be posted in such a manner that any portion of said sign is within five feet of the house side of the sidewalk and, if there is no sidewalk within 15 feet of said sign, then 15 feet from the house side of the street curb. Said signs must be placed at least five feet from the house side of intersecting sidewalks or if there are no sidewalks, then 15 feet from the house or back sides of intersecting curbs. Unless a further setback is required by the foregoing rules (as in the case of corner lots adjacent to intersecting streets), said signs shall be located at least five feet from side property lines except for lots located at intersections.
- d. No sign shall exceed three and one-half feet in height in the front setback area, and such signs shall not exceed six feet in height in any area unless said sign is attached flush to any building. The measurement shall be taken from the ground level to the top of said sign.
- e. No sign may be affixed to an already existing sign.
- f. Nothing in this section shall be construed to render a property owner liable for the posting of a sign on his or her property.

2. In commercial and industrial zones:

- a. No sign may exceed 12 square feet in area. Double-faced signs as defined in this chapter may be permitted.
- b. No sign may be affixed to an already existing sign.

3. Removal. The procedure for the removal of temporary noncommercial signs is as follows:

- a. Notice. The director shall give 24 hours' notice to the owner of the sign (if known), of the city's intent to remove any unauthorized temporary sign bearing a noncommercial message. The notice shall specify the provision of the sign ordinance being violated, and shall inform the owner that removal charges will be assessed. The owner may, within 24 hours of receiving notice, request a hearing before the director to appeal the decision to remove the sign. If the owner so requests, the sign shall not be removed until the hearing has been held and a final decision rendered. If the owner cannot be identified or located after reasonable effort, the sign may be treated as abandoned property and removed.
- b. Appeal and Removal. In the absence of an appeal of the removal decision, the sign may be removed by the city and the reasonable cost thereof charged to the sign owner and/or persons responsible for placing the illegal sign. Such cost shall be set by resolution of city council.

City of San Diego

No increase in square-footage for noncommercial signs during an election period is mentioned in San Diego's Municipal Code. Standard size rules apply. These sizes are different in each zone, but only real estate and garage sale signs are allowed with regard to temporary signs. There is no limit to the number of campaign signs that can be posted on private property (other than the total area restrictions). Campaign signs in the City of San Diego must also have information on who paid for the sign.

City of Carlsbad

Although not part of the original discussion regarding other jurisdictions, the sign regulations for the City of Carlsbad were noted during staff research. That city provides a handout that outlines the posting rules for temporary political (campaign) signs. The handout states what signs can be placed, how long they can be placed, where they can be placed, and what permits (if necessary) are required. The rules are attached for your reference.

Summary

Since the most recent Land Use Update in 2012, there have been changes in constitutional law regarding signs, particularly with regard to message neutrality and message substitution. The need to incorporate these changes, as well as to update outdated language, terms, titles, etc. has led to this proposed update to the Sign Ordinance (Section 18.47 of the Land Use Code). The proposed amendments meet the policies and goals of the General Plan, and will ensure that staff is able to administer the Code in an efficient and appropriate manner.

On October 4, 2011 the City Council initiated a Code Amendment that was intended to clean up the Land Use Code. Since adoption the new code in 2011 and the subsequent re-adoption in 2012, there have been various discrepancies and typographic issues that need to be remedied. Although the amendment will ultimately cover much more than just the Signs and Outdoor Advertising Displays chapter, staff is attempting to fast-track this particular section amendment so as to comply with changes in constitutional law regarding signs. The remaining items to be amended will follow at a later date.

The Planning Commission held a public hearing on this amendment at their meeting of May 4, 2015 and recommended approval of the amendment. If the Council is amenable to the change to 18.47 the associated Ordinance would need to be introduced. A second reading would follow at a subsequent meeting. If ultimately approved, the amendment would affect all private property and public property not owned by the City or its affiliated agencies.

Staff is seeking direction from the City Council on proposed and potential changes to the Sign Ordinance. A strike-through/underline version of the Sign Ordinance is attached for your reference.

Chapter 18.47

SIGNS AND OUTDOOR ADVERTISING DISPLAYS

Sections:

- 18.47.010 Purpose.
- 18.47.020 Site plan review and/or sign permit required.
- 18.47.030 Unlawful display of signs or banners prohibited.
- 18.47.040 Definitions.
- 18.47.050 Design and maintenance.
- 18.47.060 Permanent signs permitted in all zones.
- 18.47.070 Large permanent signs in commercial, industrial, mixed-use and institutional zones.
- 18.47.080 Large permanent signs in shopping centers.
- 18.47.090 Small permanent signs in commercial, industrial, institutional, mixed-use, and multi-family zones.
- 18.47.100 Pole-mounted or freestanding signs in commercial, industrial, mixed-use, and institutional zones.
- 18.47.110 Roof mounted signs.
- 18.47.120 Revolving signs in commercial and industrial zones.
- 18.47.130 Temporary signs permitted in all zones.
- 18.47.140 Projecting signs in commercial, industrial, mixed-use, and institutional zones.
- 18.47.150 Vehicle signs.
- 18.47.160 Public assembly use signs.
- 18.47.170 Mural-type signs in commercial and mixed-use zones.
- 18.47.180 Digital advertising display (dad) signs.

- 18.47.190 Flags, banners, and pennants.
- 18.47.200 Signs prohibited in all zones.
- 18.47.210 Master sign program.
- 18.47.220 Removal from abandoned site or building.
- 18.47.230 Nonconforming signs.
- 18.47.240 Constitutional severability.
- 18.47.250 Non-commercial speech.
- 18.47.260 Sign regulations by zone and type.
- 18.47.270 Signs for special uses.

18.47.010 Purpose.

The purposes of this chapter are to: aid in the identification of properties, land uses, and enterprises; improve traffic safety by reducing visual distractions and physical obstructions and hazards; enhance the general appearance and aesthetics of the urban environment; and protect the natural beauty of the city's open space.
(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.020 Site plan review and/or sign permit required.

A. Site Plan Review and/or Sign Permit Approval. Signs allowed by this chapter may not be installed until a site plan review and/or sign permit is conducted and approved (see Section 18.12.100) and a finding of compliance is made with the design criteria identified in this chapter by the planning division. Signs that are not consistent with the design criteria outlined in this chapter may not be installed. This determination may be appealed pursuant to the provisions of Section 18.12.060.

B. Considerations. Site plan review and/or a sign permit shall be limited to considerations of the location, installation or placement, size, public safety and sight distance, view blockage, and comparable matters, and not to the content of the message conveyed by the sign or banner, except when the publication of such message is unlawful.

C. **Exempt Signs.** Site plan review and sign permits are not required for exempt signs pursuant to Section 18.12.100(C).

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.030 Unlawful display of signs or banners prohibited.

A. Except as provided in this chapter and in Section 18.12.100, it is unlawful for any person or entity to install, maintain, or allow the installation or maintenance of a sign or banner as defined in this chapter in any zone.

B. The reference to a specific prohibition in this chapter shall not affect the validity and effect of the general prohibition set forth in this chapter or its application regulating the uses of property outlined throughout the remainder of the Land Use Code, nor shall it affect Chapter 10.54 prohibiting the maintenance of graffiti as a public nuisance.

C. This chapter shall not apply to any governmental agency or to any regulatory sign prescribed or required by federal or state law or local ordinance.

D. Nothing in this chapter is intended to authorize the installation of a sign or banner without the permission of the owner or occupant of that property.

E. Within this chapter, all regulations shall refer and apply only to "on-site" displays of signs and banners. When a regulation is made applicable to an "off-site" display, it shall be so designated. Unless so designated, off-site displays are prohibited. Off-site displays include "sign spinners."

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.040 Definitions.

A. As used in this chapter, and in addition to the definitions in the glossary, the following definitions or concepts shall be applicable:

1. "Banner" is any flexible material, such as cloth, plastic, vinyl, paper, cardboard or thin metal, with or without a "message," attached outdoors to a building, structure or mounting device, or at-

tached indoors to a building, structure or mounting device so as to be visible from the exterior of a building, or structure. The term "banner" includes a pennant, flag, or bunting.

2. "Billboard" means a sign which directs attention to a business, community service or entertainment not exclusively related to the premises where such sign is located.

3. "Bunting" is a form of banner that is typically presented and displayed in a folded or gathered fashion or combination. It may include a display in combination with a flag or banner. Depending on the format of the display, the term may be synonymous with banner.

4. "Business premises" refers to specific business occupancy within a building or upon a parcel of land, typically having a specific address and discrete entrance(s) and exit(s) so as to maintain a specific business identity and location.

5. "Changeable copy sign" refers to a sign displaying a "message" that is changed by means of moveable letters, slats, lights, light emitting diodes, or moveable background material.

6. "Directional sign" is any individual sign used to provide directions to pedestrians and vehicular traffic. It shall not include a grouping or mosaic of individual signs that are arranged in such a manner as to constitute a larger sign.

7. "Flag" is a form of "banner" that is mounted and displayed outdoors on a pole.

8. "Freestanding sign" means a sign which is permanently supported on the ground by one or more uprights, braces, poles, or other similar structural components that are not attached to any building. This category includes both monument and pole signs.

9. "Frontage" when used as a measurement reference of a building or business premises, shall refer to the distance between the two most distant corners of a building measured in a straight line along the building face bordering the adjoining street. See the glossary pertaining to frontage when made applicable to a parcel of land. It shall also

refer to the elevation of a building that abuts or adjoins a private or public right-of-way or parking lot.

10. "Height" means the distance measured vertically from grade to the highest point or portion of the object to be measured or height limited.

11. "Illuminated sign" means a sign whose message is made readable by internal or external lights or light emitting diodes, typically during hours of darkness.

12. "Install" or "installation" includes but is not limited to the act by which a sign is constructed or placed on land or a structure, or the act of attaching, painting, printing, producing, or reproducing, or using any other method or process by which a visual message is presented or placed upon a surface.

13. "Message" means any form of visual communication presented on any type of media. It is not material whether the communication has any logical, practical, literary, or artistic significance or not. It includes any form or combination of letters, graphics, symbols or designs. The term is not intended to include mono-color paint applied to the exterior, trim, fascia, or other architectural elements of a building for protection against the elements.

14. "Monument sign" means a low-profile freestanding sign supported by a structural base or other solid structural features other than support poles and may contain signage on more than one side.

15. "Mural" or "mural-type sign" means a sign painted on the exterior wall of a building consisting of graphics or images, either alone or in combination with letters.

16. "Off-site" or "off-site sign" refers to a sign or banner that promotes or advertises goods, services or activities located or offered on a business premises or parcel that is separate from the parcel where the sign is located, even if the two sites or parcels are contiguous to each other.

17. "On-site" or "on-site sign" refers to a sign or banner that promotes or advertises goods, ser-

vices, or activity located or offered on the business premises or parcel of property where the sign is located.

18. "Outdoors" means a location on undeveloped property or to the exterior of a building or structure.

19. "Outdoor advertising" refers to the placement of a message on signs or banners located outdoors, or located indoors in a manner such that the message is visible from the exterior of a building or structure.

20. "Parcels" or "property" or similar references or descriptions shall refer to parcels defined or delineated by assessor parcel numbers maintained by the County tax assessor or as defined in the glossary of this Code.

21. "Pennant" is a banner with three sides.

22. "Permanent sign" means a sign that is solidly attached to a building, structure, or the ground by means of mounting brackets, bolts, welds, or other combination of attachment methods, thereby rendering the sign non-moveable or difficult to reposition without the use of machinery, cutting devices, or mechanical devices. See also "temporary sign."

23. "Pole sign" means a permanently mounted, freestanding sign which is supported above the ground by one or more uprights, braces, poles, or other similar structural components.

24. "Projecting sign" is any sign which projects beyond a building face and uses a wall or vertical element of a building as its main source of support. A projecting sign includes a double-faced sign that is installed more or less perpendicular to the face of a building so as to allow a message to be viewable from either side. A projecting sign does not include signs that are installed along the face of a building and that are completely attached to the face of a building.

25. "Rooftop or roof-mounted sign" means a sign that extends above the ridgeline of the roof of a building or a sign attached to any portion of the roof of a building.

26. "Shopping center" shall mean a group of commercial buildings as defined in the Glossary.

27. "Sign" as used in this chapter, shall generically refer to any medium through which a message is conveyed which is placed outdoors in any zone or is visible to the exterior of a commercial or industrial building or structure. It shall include a banner and any of the following:

a. Any advertising display defined in Section 9.32.010.

b. Any message painted, printed, or otherwise produced or affixed on or to:

c. The exterior of a building or structure;

d. A rigid or semi-rigid material or surface, such as wood, metal, or plastic, attached to a building, structure, or pole or which is itself free-standing; or

e. An inflatable balloon or other three-dimensional object that is tethered or fastened to a building, structure, pole, or the ground.

28. "Temporary sign" means a sign that is easily moveable and which is not attached to a building, structure, or the ground in such a manner as to be rendered a permanent sign.

29. "Visible to the exterior" refers to the placement of a sign or banner within the interior first eight feet of a commercial or industrial building or structure in such a manner so that it or its message is readily visible on an immediately contiguous public right-of-way, parking lot, or parcel. To be visible does not require that the message be understandable or readable.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.050 Design and maintenance.

A. **Uniform Building, Electrical and Mechanical Code Compliance—Required.** No sign shall be installed that does not comply with the applicable Uniform Building, Mechanical and Electrical Codes adopted by the city. Permits for installation shall be obtained, when required, prior to any installation, from the director of building and safety.

B. **Maintenance.** All signs and their supporting structures and components shall be maintained in a state of safe condition and good repair. Signs shall be "face washed" at least once a year.

Electrically energized components must bear the seal of approval of an approved testing laboratory. Broken faces and burned-out lamps, bulbs, or tubes must be replaced within thirty days from the date of notification from the city.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.060 Permanent signs permitted in all zones.

The following signs shall be permitted in all zones. Site plan review shall not be required.

A. Permanent Signs.

1. **Size.** The display on any parcel of any single sign, flag, or banner that is less than six square feet in area is permitted, except when a home occupation permit has been issued for a residential parcel, this exemption shall not apply, and that property shall be subject to all the requirements of this chapter.

2. **Restrictions.** No signs shall be placed in the public right-of-way nor shall they obstruct the free flow of traffic.

B. **Directional Signs.** Directional signs which do not exceed a total of three square feet in size per sign and total area combined does not exceed nine square feet.

C. **Freestanding or Monument Signs.** A maximum of two freestanding or monument signs not to exceed a total of one hundred square feet, are permitted for single-family subdivisions, multi-family developments, or mobile home parks.

D. **Official Flags.** Up to three official flags of the United States, the State of California, or other states of the nation, counties, municipalities, and official flags of sovereign nations. Proposals for more than three flags require a sign permit and site plan review. If flags are to be displayed on vertical flagpoles, these poles shall be permanently installed with appropriate building permits. Flags of nationally or internationally recognized organizations and corporate or business flags are only permitted if displayed in conjunction with the United States flag. The Flag Code of the United States shall be observed at all times.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.070 Large permanent signs in commercial, industrial, mixed-use and institutional zones.

A. Specifications and Restrictions. Except in shopping centers, large permanent signs (those exceeding twenty-five square feet in area) may be installed on or along the face of a building in commercial, and commercial uses in a mixed-use zone, industrial or institutional zones, subject to the following specifications and restrictions:

1. Signs shall be limited to one sign per business premise per frontage along a street, freeway, or parking lot.

2. Sign area on the primary frontage shall not exceed thirty percent of the area of the building face or four square feet of sign for each linear foot of building face along that frontage, whichever is greater.

3. Sign area on a secondary frontage shall not exceed fifteen percent of the area of the building face or two square feet per linear foot of secondary frontage, whichever is greater.

4. The sign face shall not be located, such as by a cabinet, deep lettering, or architectural feature, more than eighteen inches from a building face unless an exception is approved pursuant to site plan review.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.080 Large permanent signs in shopping centers.

Large permanent signs for businesses within a shopping center shall be limited to one per business premises per frontage on a common walkway, parking lot, driveway, alleyway, street, or freeway. The size and placement of these signs shall conform with the standards specified by Section 18.47.070 as well as standards that may be applied through any required city council or planning commission approval, including but not limited to a conditional use permit, planned development permit, specific plan, or variance.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

(National City Supp. No. 33)

18.47.090 Small permanent signs in commercial, industrial, institutional, mixed-use, and multi-family zones.

A. Permanent Signs Less than Twenty-Five Square Feet. Any permanent sign measuring less than 25 square feet and not described elsewhere in this chapter shall be considered a small permanent sign that shall only be permitted in commercial, industrial, and institutional zones and commercial uses in a mixed-use zone as follows:

1. Small permanent signs shall be permitted only in windows or along the face of a building.

2. The total area of all small permanent signs and any allowable small temporary signs combined shall not exceed ten percent of the wall or elevation on which the sign is placed.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.100 Pole-mounted or freestanding signs in commercial, industrial, mixed-use, and institutional zones.

A. Requirements. Pole-mounted or freestanding signs are permitted in the commercial and industrial zones and commercial uses in a mixed-use zone, subject to the following requirements:

1. Pole signs or freestanding signs shall be limited to one sign per frontage on street, freeway, or parking lot, and may include a cluster sign identifying individual businesses on the parcel(s).

2. The total area of any sign installed along the primary frontage shall not exceed four square feet per linear foot of property on the primary frontage.

3. The total area of any sign installed along each secondary frontage shall not exceed two square feet per linear foot of property on the secondary frontage.

4. Sign structures shall not be placed within the required setback area, except that projecting signs may protrude into or overhang a maximum distance of one-half of the setback.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.110 Roof mounted signs.

Roof-mounted signs are not permitted.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.120 Revolving signs in commercial and industrial zones.

Signs that revolve shall be restricted to those that rotate three hundred sixty degrees and no more than eight revolutions per minute. Revolving signs shall be permitted only in commercial and industrial zones.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.130 Temporary signs permitted in all zones.

A. Temporary Signs on Construction Sites. Temporary signs on construction sites having the following specifications shall be permitted in all zones:

1. The maximum total area for signs at single-family residential construction projects shall be twenty square feet per street frontage.

2. The maximum area of signage at other construction projects shall be fifty square feet per street frontage.

3. For any request for square-footage exceeding the limits set forth in subsections (A)(1) and (A)(2), a temporary use permit is required, the granting or denial of which shall be based solely on objective criteria such as time, location, and size.

4. All signs must be removed prior to and as a condition of the final inspection and approval of the project.

B. Temporary Signs on For Sale or For Lease Property. A maximum of two temporary signs on currently for sale or for lease property may be installed on developed or undeveloped property in all zones, with the following requirements and specifications for the sign:

1. The maximum area of signage allowed by this section per parcel per street frontage in commercial, industrial, mixed-use, multi-family, or institutional zones shall be fifty square feet.

2. The maximum area of signage allowed by this section per parcel per frontage in single-family residential zones is six square feet.

3. These signs shall not be lighted.

4. Signs shall be removed within ten days following the lease or sale of the premises on which the sign is displayed.

C. Temporary Off-Site Signs Prohibited. Temporary off-site signs are prohibited in all zones, unless otherwise provided herein and by state law.

D. Temporary Signs For Events. Additional temporary signs erected due to an event are permitted as follows:

1. Commercial/Industrial/Multi-Family/Mixed-Use/Institutional Zones.

a. One or more temporary signs, each of which is thirty-two square feet or less in area, shall be permitted per parcel.

b. Temporary signs, except flags and banners, shall not be fastened directly to the exterior wall or face of any building. Such signs may be displayed in windows or on display boards, provided the combined total area of all signs does not exceed ten percent of the area of the building face upon which the signs are mounted. (See Section 18.47.190 for restrictions on flags and banners.)

c. Such signage is permitted on a temporary basis as defined hereinafter, in addition to other sign allotment per site.

2. Single-Family Residential Zones.

a. One or more temporary signs, each of which is six square feet or less in area, shall be permitted per parcel.

b. A parcel that is a corner lot can also have up to two signs greater than six square feet or less in area, but less than or equal to sixteen square feet in area per parcel.

c. Permission of the property owner or occupant where the sign is placed shall be required.

d. No temporary signs are permitted in the public right-of-way.

e. Removal. If the signage was erected for an event, such signage shall be removed within ten days after the event.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.140 Projecting signs in commercial, industrial, mixed-use, and institutional zones.

A. Conditions. A projecting sign may be permitted in all commercial, industrial, mixed-use, and institutional zones, subject to the following conditions:

1. Projecting signs shall not project over any public right-of-way, including streets or alleys, except as provided in subsection (D) below.

2. The maximum height of projecting signs shall be twelve feet, and may project above any eave or parapet of less than twelve feet in height, but may not project inward over any such eave or parapet.

3. The maximum area of a projecting sign shall be thirty-two square feet.

4. Projecting signs may project over street parkways and required setback areas a maximum of one-half of the street parkway or setback width. For the purpose of this section, "street parkway" is defined as that part of the public street right-of-way lying between the front property line and the edge of the roadway.

5. No more than one projecting sign shall be placed on each street frontage per business premises.

6. A projecting sign shall be permitted only in lieu of a freestanding or marquee sign, and may not be utilized in addition to a freestanding or marquee sign.

7. Projecting signs shall be supported so as to appear to be an architectural and integral part of the building. The sign shall be free of any extra bracing, angle iron, guy wires, or cables.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.150 Vehicle signs.

A. Permitted Vehicle Signs.

1. Advertising signs on buses and taxis.

2. Signs on automobiles and trucks that are painted on or attached flat against the vehicle to identify or advertise the associated business, provided that the vehicle is primarily used for the business and not parked on public streets.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

(National City Supp. No. 35)

18.47.160 Public assembly use signs.

On property used for public assembly, one wall mounted sign not to exceed twenty square feet in area per street frontage or parking lot frontage, and one freestanding changeable copy directory sign not to exceed six feet in height and twenty square feet in area per street frontage or parking lot frontage shall be allowed; provided, however, that the signs shall be architecturally related to the structure to which they are appurtenant. No more than two wall-mounted signs plus no more than two freestanding signs shall be permitted.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.170 Mural-type signs in commercial and mixed-use zones.

Mural-type signs not exceeding one hundred ten square feet in area shall be allowed in commercial zones and for commercial uses in mixed-use zones in lieu of a fixed sign.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.180 Digital advertising display (dad) signs.

A. Purpose. The use of digital advertising display technology (also known as a message center display or electronic reader board) for on-premises advertising signage can be an enhancement to the city as a whole, provided that sufficient standards are established to regulate daytime/nighttime illumination, prohibit movement, flashing, and other animation that may distract motorists, and allow for reasonable height and size requirements that balance the need for visibility with overall city aesthetic concerns; and

The need for establishing design and operational standards for digital advertising displays for digital advertising signage will ensure that they do not create adverse effects on adjacent uses, for motorists, or conflict with Amber light or other digital emergency response signage; and

The Federal Highway Administration in a 2007 ruling stated that digital billboards are permissible adjacent to and visible from federal highways.

B. Applicability. Digital advertising display signs are allowed in commercial, mixed-use, and industrial zoned areas along highways and arterial roadways (as defined by the General Plan Circulation Element) with approval of a sign permit provided all the conditions identified below are met.

C. Requirements.

1. The maximum height of the sign structure containing the digital advertising display shall be subject to the same height restrictions as contained in Section 18.47.260 of the Land Use Code.

2. For properties that front on arterial roadways, the electronic message display component of the sign structure shall not exceed eighty square feet in area per sign face.

3. For properties that front on highways, the electronic message display component of the sign structure shall not exceed two hundred fifty square feet in area per sign face.

4. No more than one digital advertising display sign shall be permitted on a site. The electronic message display may be single-faced or double-faced.

5. The electronic message display shall be an electronic LED (light emitting diode) screen.

6. The pixel pitch of the LED electronic message display shall be no greater than twenty-five mm; twenty mm or less is preferred, especially for arterial roadways.

7. Each DAD sign shall be provided with encapsulated LED's for weather protection.

8. The DAD may be programmed to allow changeable messages, provided that any image shall be displayed for a minimum of eight seconds, and transitions between slides shall not exceed one second. Fading in or out, or scrolling of text shall be permitted as transitions.

9. Each DAD shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The nighttime intensity shall be limited to 0.3 foot-candles (over ambient levels) as measured at a preset distance as established by the Lewin Report as prepared for the Outdoor Advertising Association of America

(OAAA). The city may modify or further restrict the intensity of any DAD display should the lighting create a distraction to drivers or an adverse effect on nearby residential property.

10. The electronic message display shall not be operated between the hours of midnight and six a.m.

11. The electronic message display shall not result in unacceptable light intensity and glare impacting surrounding property.

12. All new digital advertising display signs not attached to a building shall be mounted on one support column only.

13. Digital advertising display signs are permitted to be located on the wall of a building provided the sign does not obscure any of the building's windows, architectural features, or other architectural details.

14. No digital advertising display sign may be placed within one-mile of another DAD on the same side of a highway. No more than two DAD signs are permitted per freeway.

15. Digital advertising display signs are limited to on-premise signs only. No digital display signs may be placed within one thousand feet of another DAD sign on the same side of an arterial roadway.

16. An existing billboard sign may be refurbished with a digital advertising display sign provided it does not exceed the area of the existing billboard and in all other respects meets the requirements of this chapter.

17. Cabinetry shall include solid welds and voltage protection.

18. Exterior cabinetry consisting of sheet metal or fabricated metal construction is not permitted.

19. The electronic message display shall be maintained in good operating condition and external appearance at all times.

20. Solar powered DAD signs are encouraged.

21. A DAD shall be subject to all other sign face size restrictions as contained in this chapter. (Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.190 Flags, banners, and pennants.**A. Regulations.**

1. **Permit Required.** All banners require the approval of the planning division. In order to obtain approval, see application and drawings required at the city planning division.

2. **Minimum Standards.** Flags and banners may be displayed on automobile sales lots without time limitation or site plan review provided that:

- a. The displays are properly maintained;
- b. Displays are limited to the perimeter of the lot;

- c. Displays do not exceed a height of twenty-five feet above the ground;

- d. Displays may not be used in place of a permanent sign.

3. **Flags, banners, and pennants** may be displayed on other commercial and industrial uses for a cumulative period of sixty days within each calendar year. The time limit commences when a banner permit is issued by the planning director. The sixty-day period may be divided into two occasions per calendar year, provided the total display time does not exceed sixty days per calendar year. A banner permit fee and an administrative fee in an amount representing the anticipated city enforcement costs in causing the applicant to remove flags or banners shall be paid to the city treasurer at the time of application for site plan review. The administrative fee shall be refunded upon the verified removal of the flag or banner by the specified deadline.

4. The following shall apply to all displays of flags, banners, and pennants:

- a. Must be removed by the owner or occupant within fifteen days after a determination by the city manager or his/her designee that the display is improperly maintained or the flag or banner is tattered or worn.

- b. Shall not be larger than forty square feet.

- c. Shall not be displayed in lieu of a permanent sign.

- d. Shall not be placed on a roof, placed in required yard areas, or landscaped areas.

- e. Must be compatible with the primary building's appearance.

- f. Violation of the time limits shall render the site ineligible for issuance of a permit for display of a banner for a period of one year from the date that the violation is abated.

- g. The restrictions of this section shall also apply to signs and banners located within the first eight feet of the interior of commercial or industrial premises when such sign or banner is visible to the exterior.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.200 Signs prohibited in all zones.

A. Prohibited Signs. Notwithstanding Section 18.47.030 the following signs are strictly prohibited in all zones:

- 1. Signs that obstruct any window, door, or opening used or required as a means of regular ingress and egress, legal light and ventilation, as a fire escape or other emergency access or escape.

- 2. Signs placed on public property or within the public street right-of-way.

- 3. Signs placed on property without permission of the property owner or occupant.

- 4. Signs on fences.

- 5. Except as provided in otherwise in this chapter, signs on vacant or unimproved land.

- 6. Any sign whose intensity of illumination or size, shape, or location interferes with the safe operation of a vehicle or creates distraction to the operator of a motor vehicle on adjoining public streets.

- 7. Animated and flashing signs exceeding the following limits or restrictions:

- a. Flashing signs are limited to a maximum illumination equivalent to incandescent bulbs of sixty watts per bulb maximum, and shall not flash more than sixty times per minute. "Chasers" are prohibited.

- b. High intensity neon lights, tubes, or flashing lights exceeding sixty watts are prohibited on animated or flashing signs.

- c. Rotating beacon-type lighting elements on signs are prohibited.

8. Temporary or permanent off-site signs, including billboards, are prohibited except where otherwise provided by state law or in Section 18.47.180.

9. Inflatable signs and displays, unless authorized pursuant to a temporary use permit.

10. Signs mounted on motor vehicles that are in violation of Section 7.20.150 or signs exceeding twenty-five square feet mounted on motor vehicles parked for more than eight hours in any twenty-four-hour period on private property.

11. Off-site temporary signs, mobile billboards on public streets (excepting buses, taxicabs, and business vehicles with an advertisement or display of its owner).

12. Mobile Billboard Advertising. Mobile billboard advertising includes any vehicle or wheeled conveyance which carries, conveys, pulls, or transports any sign or billboard for the primary purpose of advertising. Mobile billboard advertising upon any street or other public place within the city in which the public has the right of travel is prohibited. Any vehicle which displays an advertisement or business identification of its owner, so long as such vehicle is engaged in the usual business or regular work of the owner and not used merely, mainly, or primarily to display advertisements; buses; and taxicabs are exempt from this prohibition.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.210 Master sign program.

A. Purpose and Applicability. The purpose of the master sign program provisions is to provide a coordinated approach to signage for National City's business districts, which include the Harbor District, Downtown, Mile of Cars, and Plaza Bonita. The development of a master sign program is optional, but strongly encouraged for these areas.

B. Approval. A master sign program shall require the approval of the planning commission and the city council.

C. Design Standards. Master sign programs shall feature a unified and coordinated approach

to the materials, color, size, type, placement and general design of signs proposed for a project or property.

D. Effect of Master Sign Program. All subsequent signs proposed for a development or property subject to an approved master sign program shall comply with the standards and specifications included in the master sign program.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.220 Removal from abandoned site or building.

When the use of any parcel or building is vacated, terminated, or abandoned for any reason for a period of more than one hundred twenty consecutive days, the owner or person in possession of the property shall be responsible for the physical removal of all signs on the property, building or wall(s), and for painting over the surface so as to obliterate any painted or printed signs on the building so that the copy is not visible, within thirty days following notice from the city. Removal, painting out, or obliteration shall be performed in a manner that does not create a blighting influence.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.230 Nonconforming signs.

Any sign that is made nonconforming by enactment of Ordinance 2001-2192 may continue to be maintained or displayed subject to the provisions of Section 18.11.090 regarding the continuance and abatement of nonconforming signs.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.240 Constitutional severability.

The city council declares that the judicial invalidity of any subsection or portion of this chapter shall not affect the validity of any other remaining section or portion; that the city council would have adopted each of those remaining portions, notwithstanding any later declared invalidity. If any provision determined invalid under the preceding sentence can either be judicially severed or interpreted in a way that could harmonize it with

the remaining provisions, then it may be severed or interpreted and applied so as to give full purpose, meaning, and effect to the remaining provisions of this chapter.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.250 Non-commercial speech.

Anywhere that commercial signage is allowed, non-commercial signage is allowed subject to the same restrictions as those set forth for commercial signage, but not in addition to such allowance.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.260 Sign regulations by zone and type.

The following table summarizes the types of signs that shall be permitted within the zoning designations listed below. Signs are not permitted in public rights-of-way unless otherwise noted in Table 18.47.260 below.

**TABLE 18.47.260
Sign Regulations by Zone and Type**

Sign Type	Use or Zone	Location	Maximum Size and Height	Other Regulations
Permanent signs less than 6SF	All (except home occupation)	—	6 square feet	—
Directional sign	All	—	3 square feet per sign and a combined total of 9 square feet	—
Official flags (United States, California, other state or nation, county, municipality or sovereign nation)	All	—	—	Maximum of three flags; must be on permanently installed poles; organizations, corporations and business flags prohibited.

Sign Type	Use or Zone	Location	Maximum Size and Height	Other Regulations
Building mounted greater than 25 SF	Commercial, Industrial, Mixed-Use	One sign per building premises per frontage on a street, parking lot or freeway.	<p>Primary frontage: 30% of the area of the building face or 4 square feet of sign for each linear foot of building face along the frontage, whichever is greater.</p> <p>Secondary frontage: 15% of the area of the building face or 2 square feet per linear foot of secondary frontage, whichever is greater.</p>	May not extend more than 18" from building face. Internally illuminated light box or cabinet signs not permitted.
Building mounted greater than 25 SF	Shopping Centers, MXD-1 and MXD-2 (except residential buildings)	One sign per business premises per frontage along a common walkway, parking lot, driveway, alleyway, street or freeway.	<p>Primary frontage: 30% of the area of the building face or 4 square feet of sign for each linear foot of building face along the frontage, whichever is greater.</p> <p>Secondary Frontage: 15% of the area of the building face or 2 square feet per linear foot of secondary frontage, whichever is greater.</p>	May not extend more than 18" from building face. Internally illuminated light box or cabinet signs not permitted.

Sign Type	Use or Zone	Location	Maximum Size and Height	Other Regulations
Building mounted less than 25 SF	Commercial, Industrial, Mixed-Use, Institutional, Multi-Family	Windows or along the face of a building.	10% of the wall or elevation on which the sign is placed or 25SF, whichever is less.	May not extend more than 18" from building face. Internally illuminated light box or cabinet signs not permitted.
Freestanding/pole-mounted	Commercial, Industrial, MXD-1 and MXD-2 (except residential buildings), Institutional	One sign per building premises per frontage on a street, parking lot or freeway. Not permitted in required setbacks.	Primary frontage: 4 square feet per lineal foot Secondary frontage: 2 square feet per lineal foot.	Cluster signs identifying individual businesses on a parcel are permitted.
Roof-mounted	All zones	Not permitted.	Not permitted.	Not permitted.
Revolving	Commercial, Industrial		Same as Freestanding/Pole-mounted.	360 degree rotation only and maximum of 8 revolutions per minute.
Projecting sign	Commercial, Industrial, Mixed-Use, Institutional	One sign per street frontage per business premise. May extend into or overhang no more than one half of the setback or street parkway distance. A sign may not extend beyond the street curb.	Area: 32 square feet Height: 12 feet	Permitted only in lieu of a freestanding or marquee sign. Must be an integral component of building. Decorative brackets permitted.
Public assembly signs	All	One wall-mounted sign per street or parking lot frontage plus one freestanding sign per street frontage.	One wall mounted sign not to exceed 20 square feet in area and one freestanding sign not to exceed 6 square feet in height and 20 square feet in area.	No more than 2 wall-mounted signs and no more than 2 freestanding signs shall be permitted.

Sign Type	Use or Zone	Location	Maximum Size and Weight	Other Regulations
Temporary signs, construction sites	All		Single-family Residential, MXC-1 and MXC-2: 20 square feet per street frontage Other: 50 square feet per street frontage.	Temporary use permit required. Shall be removed in ten days following sale or lease of the premises.
Temporary signs, event	All	Window display or display boards permitted only.	Commercial, industrial, mixed-use or multi-family, institutional: One or more each of which is 32 square feet or less in area. Single-family Residential: One or more limited to 6 square feet or less in area per parcel except corner lots are permitted up to two signs greater than 6 square feet or less in area per parcel, but less than or equal to 16 square feet in area per parcel.	For commercial, industrial, mixed-use or multi-family, may not be fastened to exterior wall or building face (except flags and banners).
Temporary off-site signs	Prohibited in all zones.	Prohibited in all zones.	Prohibited in all zones.	Prohibited in all zones.
Mural signs	Commercial		110SF or 25% of the wall of a building, whichever is less.	Permitted in lieu of a fixed sign. Must be coated with anti-graffiti coating.
Window signs	Commercial, Industrial, Mixed-Use		15% of the area of a window or 12SF, whichever is less.	

Sign Type	Use or Zone	Location	Maximum Size and Height	Other Regulations
Awning, canopy or marquee	Commercial, Industrial, Mixed-Use		Awning or canopy: 50% of the total area of the awning or canopy Marquee: 75% of the total area of the marquee.	Internally illuminated or backlit awning signs not permitted.
Building arcade hanging sign (also known as suspended or blade sign)	Commercial, Mixed-Use	One per tenant. Must be perpendicular to face of building.	Area: 6 square feet; Width: No more than 60% of arcade. Clearance: No less than 8' above finished grade.	Internal illumination not permitted.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

18.47.270 Signs for special uses.

For institutional, educational, regional commercial or other large campus-style uses — including but not limited to hospitals, schools and colleges, or shopping malls — signs may exceed the design guidelines as prescribed in this chapter with the approval of the planning commission. Approval may be either through a discretionary development process (PD, CUP, etc) for new construction or through the approval of plans process for existing facilities.

(Ord. No. 2012-2372, Exh. B-1, 2-7-2012)

PROPOSED ORDINANCE

CHAPTER 18.47 SIGNS ON PRIVATE PROPERTY AND PUBLIC PROPERTY NOT OWNED BY THE CITY OR ITS AFFILIATED AGENCIES

18.47.010 TITLE

This Chapter shall be known as the Regulatory Sign Ordinance of the City of National City, California.

18.47.020 AUTHORITY, SCOPE, INTENT, PURPOSES

A. Authority

This Chapter is enacted pursuant to the City's general and police powers, California Constitution Article XI, Section 7; California Government Code Sections 65000 *et seq.*, 65850(b), 38774, and 38775; Business and Professions Code Sections 5200 *et seq.*, 5230, 5490 *et seq.*, 13530 *et seq.* and 13540; Penal Code Section 556 *et seq.*; and other applicable state laws.

B. Scope

This Chapter regulates signs, as defined herein, which are located within the corporate limits of the City of National City and over which the City has land use regulatory authority, but not on City owned land. Signs on City land are subject to Chapter 13.28. Signs used in conjunction with parades, protests, demonstrations and outdoor public assemblies are regulated as temporary uses under Chapter 15.60.

C. Intent

By adoption of this Chapter, the City Council intends to create and implement a comprehensive system for the regulation of signs within the scope of this Chapter, with a regulation system that: 1) accommodates the expression rights of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution; 2) comports with all applicable principles of federal and state constitutional, statutory and administrative law.

D. Purposes and Interests Served

The purposes of this Chapter include, but are not limited to: 1) serving the governmental and public interests in controlling visual clutter, community esthetics, and safety of drivers, passengers, and pedestrians; 2) aiding in the identification of properties, land uses, enterprises and other establishments; 3) enhancing the general appearance and esthetics of the urban environment; and 4) protecting the natural beauty of the City's open space.

PROPOSED ORDINANCE

18.47.030 BASIC PRINCIPLES

A. Message Neutrality Policy

It is the policy of National City to regulate signs in a manner that does not favor commercial speech over noncommercial speech and does not regulate protected noncommercial speech by message content.

B. Message Substitution Policy

A constitutionally protected noncommercial message may be substituted, in whole or in part, for any allowed commercial message or any other protected noncommercial message, provided that the sign structure or mounting device is legal. Any substitution shall require the private property owner's consent. The purpose of this provision is to prevent any favoring of commercial speech over non-commercial speech, or favoring of any particular protected noncommercial message over any other protected noncommercial message. The message substitution policy does not: 1) create a right to increase the total amount of sign display area on a site or parcel; 2) create a right to substitute an off-site commercial message in place of an onsite commercial message or in place of a noncommercial message; 3) affect the requirement that a sign structure or mounting device must be properly permitted; 4) authorize changing the physical method of image presentation (such as digital or neon) display without a permit; or 5) authorize a physical change to the sign structure without compliance with applicable building codes, safety codes, and neutrally-applicable rules for sign size, height, orientation, setback, separation or illumination.

C. Enforcement Authority

The Director is authorized and directed to administer and enforce this Chapter.

D. Administrative Interpretations

Interpretations of this Chapter are to be made initially by the Director in consultation with the City Attorney. The Director may refer an interpretation question to the Planning Commission. All interpretations of this Chapter are to be exercised in light of the message neutrality and message substitution policies. Where a particular type of sign is proposed, and the type is neither expressly allowed nor prohibited by this chapter, or whenever a sign does not qualify as a "structure" as defined in the Building Code, as adopted by the City, then the Planning Commission or Director, as applicable, shall approve, conditionally approve or disapprove the application based on the most similar sign type, using physical and structural similarity, that is expressly regulated by this chapter.

E. Responsibility for Compliance

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The responsibility for compliance with this Chapter rests jointly and severally upon the sign owner, the permit holder, all parties holding the present right of possession and control of the property whereon a sign is located, mounted or installed, and the legal owner of the lot or parcel, even if the sign was mounted, installed, erected or displayed without the consent or knowledge of the owner and / or other parties holding the legal right to immediate possession and control.

F. Onsite-Offsite Distinction

Within this Chapter, the distinction between onsite signs and offsite signs applies only to commercial messages. It does not apply to non-commercial messages.

18.47.040 DEFINITIONS

The following definitions apply to this Chapter, and to other chapters when cross-referenced by such other Chapters.

“Banner” means any flexible material, such as cloth, plastic, vinyl, paper, cardboard or thin metal, with or without a message, attached outdoors to a building, structure or mounting device, or attached indoors to a building, structure or mounting device so as to be visible from the exterior of a building, or structure. The term "banner" includes a pennant, flag, or bunting.

“Billboard” means a permanent sign structure in a fixed location which meets any one or more of the following criteria: (1) it is used for the display of off-site commercial messages; (2) the message display area, or any part thereof, is made available to message sponsors other than the owner(s) or operator(s) of the sign, typically for a fee or other consideration, *i.e.*, it is general advertising for hire; (3) the sign is a principal or secondary use of the land, rather than appurtenant or accessory to some other principal use of the land.

“Bunting” means a form of banner that is typically presented and displayed in a folded or gathered fashion or combination. It may include a display in combination with a flag or banner. Depending on the format of the display, the term may be synonymous with banner.

“Changeable copy sign” means a sign displaying a message that is changed by means of moveable letters, slats, lights, light emitting diodes, or moveable background material. “Digital signs,” “dynamic signs,” and CEVMS (changeable electronic variable message signs) are all within this definition.

“City” means the City of National City California.

“City property” means any parcel of land or separately leasable space over which the City or any of its related entities, holds the present right of possession and control, regardless of who may hold legal fee title, or that is within the public right-of-way.

PROPOSED ORDINANCE

“Commercial mascot” means a person or animal attired or decorated with commercial insignia, images, costumes, masks or symbols, and/or holding signs displaying commercial messages, when a principal purpose is to draw attention to or advertise a commercial enterprise. This definition includes “sign twirlers,” “sign clowns,” “sign spinners,” “sign twirlers,” and “human sandwich board” signs. Also known as “living signs.”

“Commercial message” means a message that proposes a commercial transaction or pertains primarily to the economic and commercial interests of the message sponsor and/or the sign audience.

“Construction site sign” means a sign that is displayed on the site of a construction development project during the period of time of actual construction.

“Digital display” means display methods utilizing LED (light emitting diode), LCD (liquid crystal display), plasma display, projected images, or any functionally equivalent technology, and which is capable of automated, remote or computer control to change the image, either in a “slide show” manner (series of still images), or full motion animation, or any combination of them.

“Director” means the City Manager or designee.

“Directional sign” is a sign used to provide directions to pedestrians and vehicular traffic.

“Election period” means that period of time which begins 60 days before a special, general, or primary election in which at least some registered voters in the City are eligible to vote, and ends ten days after such election.

“Establishment” means any legal use of land, other than long-term residential, which involves the use of structures subject to the Building Code. By way of example and not limitation, this definition includes businesses, factories, farms, schools, hospitals, hotels and motels, offices and libraries, but does not include single-family homes, mobile homes, residential apartments, residential care facilities, or residential condominiums. Multi-unit housing developments are considered establishments during the time of construction; individual units are not within the meaning of establishment once a certificate of occupancy has been issued or once a full-time residency begins.

“Establishment premises” means a specific occupancy within a building or upon a parcel of land, typically having a specific address and discrete entrance(s) and exit(s) so as to maintain a specific identity and location.

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“Flag” means a piece of fabric or other flexible material, usually rectangular, of distinctive design, used as a symbol.

“Freestanding sign” means a sign which is principally supported on the ground by one or more uprights, braces, poles, pylons or other similar structural components. This category includes both monument and pole signs.

“Frontage” when used as a measurement reference of a building or establishment premises, shall refer to the distance between the two most distant corners of a building measured in a straight line along the building face bordering the adjoining street. See Glossary pertaining to frontage when made applicable to a parcel of land. The term also refers to the elevation of a building that abuts or adjoins a private or public right-of-way or parking lot.

“Garage sale sign” means a sign whose message concerns short-term rummage, estate, boutique or garage sales of used or handmade common household items from a residential property.

“General advertising,” also known as “general advertising for hire,” means the enterprise of advertising or promoting other businesses or causes using methods of advertising, in contrast to self-promotion or on-site advertising.

“Height” means the distance measured vertically from grade to the highest point or portion of the object to be measured or height limited.

“Illegal sign” means a sign that was installed without proper City or other required approvals and/or permits at the time it was initially installed, and which has not been legalized by later action. This definition also includes a sign that was erected in conformance with all applicable laws, rules, and regulations in effect at the time of installation, but which was subsequently altered so as to be out of compliance with applicable law, including the terms of permits which authorized construction. All signs described in Business and Professions Code section 5499.1 and defined therein as an “illegal on-premises advertising display” are also within this definition.

“Illuminated sign” means a sign whose message is made readable by internal or external lights or light emitting diodes (or functionally equivalent technology), typically (but not necessarily) during hours of darkness.

“Install” or “installation” includes but is not limited to the act by which a sign is constructed or placed on land or a structure, or the act of attaching, painting, printing, producing, or reproducing, or using any other method or process by which a visual message is presented or placed upon a surface.

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“Legal nonconforming sign” means a sign that complied with all applicable laws, rules and policies at the time of installation, and which has not been expanded beyond the originally applicable rules, but which does not conform to currently applicable law and rules.

“Mobile billboard” means a sign on a wheeled conveyance (whether motorized or not) or water craft, including those which carry, convey, pull or transport any sign used for general advertising for hire. The term does not include vehicles and vessels that display identification information concerning the usual business or regular work of the vehicle/ vessel owner (not including general advertising).

“Motor fuel price sign” means a sign of the type described and required by Business and Professions Code section 13530 *et seq.*

“Monument sign” means a low-profile freestanding sign supported by a structural base or other solid structural features other than support poles, which may contain copy on more than one side.

“Mural” or **“mural-type sign”** means a sign painted on the exterior wall of a building consisting of graphics or images, either alone or in combination with letters. Murals or mural-type signs, including those described as artistic murals, shall be treated as any other sign subject to the signage area requirements.

“Non-commercial message” means a constitutionally protected message that addresses topics of public concern or controversy such as, by way of example and not limitation, politics, religion, philosophy, science, art or social commentary.

“Offsite sign” means a sign that advertises commercial products, accommodations, services or activities not provided in or on the property or premises upon which it is located. The on-site/off-site distinction does not apply to non-commercial messages.

“Onsite sign” means a sign that advertises the commercial business, accommodation, services or activities provided on the premises on which the sign is located, or is expected to be provided in the near future, such as “coming soon” movie posters. In the case of developments subject to a master sign program, all establishments subject to the program are considered on-site whenever located within any location subject to the program. All establishments within a shopping center are on-site as to any sign(s) also located within that shopping center. The on-site/off-site distinction does not apply to non-commercial messages.

“Outdoors” means a location on undeveloped property or the exterior of a building or structure.

“Parcels” or **“property”** or similar references or descriptions mean parcels defined or delineated by assessor parcel numbers maintained by the County tax assessor or as defined in the Glossary of this Code.

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“Pennant” is a banner with three sides, or swallow-tail form.

“Permanent sign” means a sign that is solidly attached to a building, structure, or the ground by means of mounting brackets, bolts, welds, or other combination of attachment methods, thereby rendering the sign non-moveable or difficult to reposition without the use of machinery, cutting devices, or mechanical devices. See also “temporary sign.”

“Pole sign” means a permanently mounted, freestanding sign which is supported above the ground by one or more uprights, braces, poles, or other similar structural components.

“Projecting sign” is any sign which projects beyond a building face and uses a wall or vertical element of a building as its main source of support. The term includes a double-faced sign that is installed more or less perpendicular to the face of a building so as to allow a message to be viewable from either side. The term does not include signs that are installed along the face of a building and that are completely attached to the face of a building.

“Real Estate Sign” means any sign whose message concerns a proposed economic transaction involving real estate, including all signs described in Civil Code 713.

“Residential Sign” means a sign displayed on a legal, individual dwelling unit. The term does not apply to management offices of apartment complexes or mobile home parks, or to hotels, motels, inns or other places of transient occupancy.

“Responsible Party” means the permittee, property owner, or owner or person in charge of the sign.

“Rooftop sign” or “Roof-mounted sign” means a sign that extends above the ridgeline of the roof of a building or a sign attached to any portion of the roof of a building.

“Safety Codes” refers to the Building, Electrical, Plumbing, Grading and similar codes which ensure safe construction.

“Shopping center” shall mean a group of commercial buildings as defined in the Glossary.

“Sign” as used in this Chapter, generally means the public display of any visually communicative image placed on public display and visible from the exterior of any portion of the public right of way or place open to passage by the public. Notwithstanding the generality of the foregoing, the term “sign” does not include:

1. Aerial banners towed behind aircraft;

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2. **Architectural features – decorative or architectural features of buildings (not including lettering, trademarks or moving parts), which do not perform a communicative function (examples include color stripes around an office building or retail store);**
3. **Automated Teller Machines (ATM's), when not used for general advertising;**
4. **Cornerstones and foundation stones;**
5. **The legal use of fireworks, candles and artificial lighting not otherwise regulated by this chapter;**
6. **Grave markers, gravestones, headstones, mausoleums, shrines, and other markers of the deceased;**
7. **Historical monuments, plaques and tablets;**
8. **Holiday and cultural observance decorations displayed in season, including inflatable objects, on private residential property which are on display for not more than 45 calendar days per year (cumulative, per dwelling unit) and which do not include commercial messages;**
9. **Inflatable gymnasiums associated with legal residential uses – inflatable, temporary, moveable, gymnasium devices commonly used for children's birthday parties, and similar devices (also called "party jumps" or "bounce houses");**
10. **Interior graphics – visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof;**
11. **Manufacturers' marks – marks on tangible products, which identify the maker, seller, provider or product, and which customarily remain attached to the product even after sale;**
12. **Mass transit graphics – graphic images mounted on duly licensed and authorized mass transit vehicles that legally pass through the city;**
13. **News racks, newspaper vending devices and newsstands;**
14. **Personal appearance: makeup, masks, wigs, costumes, jewelry, apparel and the like, unless it constitutes a commercial mascot;**
15. **Safety warnings on motorized or electrified equipment;**

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16. Searchlights used as part of a search and rescue or other emergency service operation (this exclusion does not apply to searchlights used as attention attracting devices for commercial or special events);
17. Shopping carts, golf carts, horse drawn carriages, and similar devices (any motorized vehicle which may be legally operated upon a public right-of-way is not within this exclusion);
18. Symbols embedded in architecture – symbols of non-commercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal, by way of example and not limitation, such symbols include stained glass windows on churches, carved or bas relief doors or walls, bells and religious statuary;
19. Vehicle and vessel insignia – on street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel.
20. Vending machines, automated intake devices and product dispensing devices which do not display off-site commercial messages or general advertising messages;
21. Window displays – the display of merchandise in a store window, when such merchandise is immediately available for purchase.

“Signage” is the collective noun for all signs on a given parcel, lot or location, or within a stated classification;

“Sign area” means that portion of a sign which consists of visually communicative copy, including the advertising surface and any framing, trim, or molding but not including the supporting structure, measured one side only, provided that the angle between faces for two-sided signs does not exceed 30 degrees.

“Sign copy” means the visually communicative elements, including but not limited to words, letters, numbers, designs, figures or other symbolic presentation incorporated into a sign with the purpose of attracting attention to the subject matter or message.

“Sign face” means the portion of a sign that is available for displaying sign copy, together with any frame, color, panel, ornamental molding, or condition which forms an integral part of the sign copy and which is used to differentiate such sign copy from any wall or background against

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which it may be placed. Those portions of the supports, uprights or base of a sign that do not function as a sign shall not be considered as part of a sign face.

“Sign height” means the vertical distance of a sign from the uppermost point used in measuring the sign area to the ground immediately below such point or to the level of the upper surface of the nearest curb of a street or alley (other than a structurally elevated roadway), whichever measurement permits the greater elevation of the sign.

“Special Event” means an activity or event that occurs rarely or irregularly, is open to the public, and is of a duration not exceeding 7 days. Any event that is subject to a Temporary Use Permit will be considered within this definition. By way of example and not limitation, special events include circus or carnival runs, 4th of July Festival, Easter Egg Hunt, Relay for Life, Christmas Tree Lighting, parking lot sales at shopping centers and malls, holiday celebrations, Auto Heritage Day, *etc.*

“Temporary message” means a message that pertains exclusively to an event which occurs on, or ends on, a particular day.

“Temporary sign” means a sign that is constructed of lightweight or flimsy material, and is easily installed and removed using ordinary hand tools. Any sign that qualifies as a “structure” under the Building Code is not within this definition.

“Visibility triangle” means at the intersection of any two or more streets, that area extending horizontally 50 feet from the corner of the intersection and vertically, from a height of three feet to a height of eight feet.

“Visible to the exterior” refers to the placement of a sign or banner within the interior first eight feet of a commercial or industrial building or structure in such a manner so that it or its message is readily visible on an immediately contiguous public right-of-way, parking lot, or parcel. To be visible does not require that the message be understandable or readable.

“Wall sign” means a sign that is attached to, erected against or painted on the wall of a building or other vertical structure.

“Warning sign” means a sign that is posted to provide notice of danger, such as “Beware of Dog,” “Railroad Crossing,” “Danger High Voltage” or noting the location of underground utilities.

“Window sign” means a sign that is painted or mounted on a window pane, or that is mounted within five feet of a window and oriented for viewing by exterior passersby.

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“Zone” refers both to the zone classifications given in 18.20.020, and to the specific areas or districts to which a given zoning classification applies.

18.47.050 SIGN PERMITS, OTHER SIGN-RELATED DECISIONS, APPEALS

A. Sign Permit Generally Required

Unless exempted from the sign permit requirement, all signs regulated by this Chapter may be installed, maintained, erected, or displayed only pursuant to sign permit pursuant to this Chapter, and a finding of compliance is made by the Planning Division, using the design criteria identified in this Chapter and other applicable regulations. A sign permit may be approved subject to conditions, so long as those conditions are required by this Chapter or some other applicable law, rule or regulation.

B. Compliance Required

No permit shall be issued for any sign or sign structure except in compliance with the provisions of this Chapter. A sign permit may be subject to compliance with permitting requirements imposed by other sources of law, including the safety codes for building, electrical, plumbing, grading, etc. Where there is a conflict between the provision of this Chapter and other applicable regulations, the more restrictive shall apply.

C. Right to Permit or Display

When any sign permit application is complete and fully complies with all applicable provisions of this Chapter, and all other applicable laws, rules and regulations, the permit shall be approved and issued within the required time. In the case of signs which are exempt from the sign permit requirement, there is a right to erect, display and maintain such signs as are authorized by this Chapter, subject to the applicable rules. This “right to permit” provision does not apply when the relevant city law is under active consideration for amendment at the time the application for a sign permit is submitted, or when the rules or regulations relevant to the application are changed prior to the expiration of the time for decision.

D. Legally Existing Signs; Alterations

Signs legally existing prior to the effective date of this Chapter shall be exempt from the sign permit requirement unless a structural alteration is made, the sign area or any other point of nonconformity is enlarged or expanded, or there is some other change in the structural elements of the sign. Structural alterations and expansions require a sign permit.

E. Review

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All sign permit applications shall be initially reviewed by the Director. In the case of any discretionary permit in which signage is included, such as a master sign program, a specific plan including signs, a variance, or an appeal, the Director shall prepare a report for the body which shall hear the matter, the Planning Commission or City Council. The report may, but is not required, to include recommendations.

F. Application for a Sign Permit

Any person seeking a sign permit for a sign shall submit to the Director a written application for such. The Director shall prepare a sign permit application form and provide it to any person on request, along with such other materials and information as applicants need to submit for a permit. The same form may be used for both the application and the decision thereon. A single form may be used for multiple signs on the same site; however, the Director may make separate decisions as to each sign. A sign permit application is complete only when it is accompanied by the appropriate application fee, in an amount set by resolution of the City Council.

G. Application Contents

The sign permit application form may call for the following information:

1. Name, address and telephone number of the applicant and, if applicable, the name, address, and telephone number; when the applicant is not the holder of legal title to the property, consent to the installation of the sign by the person(s) or entities who hold legal title and the present right of possession and control of the property; when the sign is proposed to be installed by a sign contractor, the name, address, contact information, and the license number, if any, of the contractor;
2. As to the proposed location for the sign, multiple sets of a fully dimensioned Site Plan (drawn to scale) indicating the street address, Assessor's Parcel Number, zone classification, all property lines, public and private street lines (including center lines), structures, easements, utility poles and wires, and the location and size (in square feet) of all existing and proposed signs;
3. As to existing signs already on parcel, information as to whether each is permitted or exempt from permitting;
4. Accurate and scaled building elevation showing existing and proposed building signs; including existing and proposed sign area of each individual sign and the combined area of all signs (including those already

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existing or previously permitted) in relation to the maximum allowed sign area;

5. A statement as to whether the sign is intended to be used in whole or in part for off-site commercial messages, advertising for hire or general advertising;
6. A statement or graphical description as to whether the proposed sign, or any part of it, is proposed to utilize any of the following physical methods of message presentation: sound; odor, smoke, fumes or steam; rotating, moving or animated elements; activation by wind or forced air; neon or other fluorescing gases; fluorescent or day-glow type colors; flashing or strobe lighting; light emitting diodes, liquid crystal displays or other video-like methods; digital display technology; use of live animals or living persons as part of the display; mannequins or statuary;
7. A statement as to whether the property or parcel on which the sign is proposed to be erected or displayed, or any currently existing sign thereon, is the subject of any outstanding notice of zoning violation or notice to correct, including whether any such deficiencies are to be remedied by the proposed application;
8. Photographs of the existing property, parcel and/or building on which the sign is proposed to be erected or displayed;
9. In the case of any proposed sign which is subject to a discretionary process, such as a variance, conditional use permit, or sign program, all information required by such process(es);
10. The Director is authorized to modify the list of information to be provided on a sign permit application; however, additions may be made only after thirty (30) days public notice. The Director is also authorized to request, require or accept application materials, in whole or in part, in electronic form, and to specify the acceptable computer formats for such submissions.

H. Completeness

As the first step in processing a sign permit application, the Director shall determine whether the application is complete. If the application is not complete, the applicant shall be so notified in person or in writing initially within 30 days of the date of receipt of the application; the notice of incompleteness shall state the points of deficiency and identify any additional information

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necessary. The applicant shall then have thirty (30) calendar days, to submit additional information to render the application complete.

I. Disqualification

No sign permit application will be approved if:

1. The applicant has installed a sign in violation of the provisions of this Chapter and, at the time of submission of the application, each illegal or non-permitted sign has not been legalized, removed or a cure included in the application;
2. There is any other existing code violation located on the site of the proposed sign(s) (other than an illegal or nonconforming sign that is not owned or controlled by the applicant and is located at a different establishment) which has not been cured at the time of the application, unless the noncompliance is proposed to be cured as part of the application;
3. The sign 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;
4. The applicant has not obtained any applicable required use permit or conditional use permit. However, applications for such permits may be processed simultaneously with a sign permit application.

J. Applications for Multiple Signs

When an application proposes two or more signs, the application may be granted either in whole or in part, with separate decisions as to each proposed sign. When a multiple sign application is denied in whole or in part, the Director's written notice of determination shall specify the grounds for such denial.

K. Discretion

When discretion is authorized for a master sign program or site plan review, that discretion may be exercised only as to location, structural and safety factors, and not as to message content, graphic design or artistic merit. Permissible factors for consideration include: style or character of existing improvements upon the site and lots adjacent to the site; construction materials; number and spacing of signs in the area; the sign's height, design, and location in relation to its

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proposed use; form, proportion, scale, overall sign size; potential effect of the proposed sign on driver and pedestrian safety; potential blocking of view (whole or partial) of a structure or facade or public view of historical or architectural significance; potential obstruction of views of users of adjacent buildings.

L. Master Sign Programs

Permit applications for Master Sign Programs as part of planned commercial, office-professional and industrial development shall include the above information as part of a Site Development Plan or Specific Plan. When approval is sought for a development that includes one or more signs, then the sign aspects of the proposed development must satisfy the applicable provisions of this Chapter. In addition, when a development project will have 6 or more leased spaces, it must also comply with the Master Sign Program requirements set forth in Section 18.47.130. Such proposals may be reviewed by the Director and shall be decided by the Planning Commission. In preparing a report for the Planning Commission, the Director may, but is not required to, make recommendations.

M. Revocation or Cancellation

The Director may revoke any approval or permit upon refusal or failure of the permittee to comply with the provisions of the permit and the requirements of this Chapter, after written notice of noncompliance and at least fifteen (15) calendar days opportunity to cure. However, opportunity to cure does not apply when a sign, by virtue of its physical condition, constitutes an immediate and significant threat to public safety.

N. Permits Issued in Error

Any approval or permit issued in error may be summarily revoked by the Director upon written notice to the permittee, stating the reason for the revocation. "Issued in error" means that the permit should not have been issued in the first place and includes but is not limited to omissions, errors or misrepresentations in the application materials, and oversights or errors in the processing thereof.

O. Inspections

All signs subject to one or more safety permits (building, plumbing, electrical, grading, etc.) require final inspection and approval by the Building Official.

P. Sign-Related Decisions

Challenges or objections to sign-related decisions, notices and orders, other than approval or denial of a sign permit, do not require a particular form, but must be in writing, signed by the

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applicant or challenger, and particularly state the matter challenged and the grounds therefore. Challenges shall be made to the Director within 30 days of the date of the decision, notice, and/or order. Challenges and objections to sign-related decisions not made in accordance with these procedures shall not be eligible for appeal.

Q. Levels of Review; Order of Review

Except for signs subject to initial review by the Planning Commission, initial review and decisions on all sign permit applications shall be by the Director unless otherwise stated herein; appeal is first to the Planning Commission and then to City Council.

R. Safety Codes

When a proposed sign, by virtue of its physical, structural, location, and other non-message factors, is subject to any permits or requirements under the safety codes, then satisfaction of such requirements shall be a condition of the sign permit.

S. Permit Denial

When a sign permit application is denied, the denial shall be in writing and sent or delivered to the address shown on the applicant's application form, and shall specifically state the grounds for denial.

T. Timely Decision

At each level of review or appeal, the decision shall be rendered in writing within 30 calendar days. The time period begins running when an appeal, challenge or objection is received, the application is complete (or is deemed complete because no notice of incompleteness has been given), an amendment is received, or the notice of appeal has been filed, whichever applies. The timely decision requirement may be waived by the applicant or appellant. If a decision is not rendered within the required time, then the application or appeal shall be deemed denied; in the case of an appeal, the lower level decision shall be deemed affirmed.

U. Appeal

Any decision regarding a sign permit application or other sign-related decision may be appealed by any affected person. Notices of Appeal and challenges and objections to sign-related decisions must be filed with the City Clerk within thirty calendar days of the decision; if City offices are not open on the thirtieth day, then the time period is extended to the next day City offices are open to the public. Appeals shall be heard by the Planning Commission. The decision of the Planning Commission may be appealed to the City Council pursuant to 18.12.060, as augmented by this Chapter. The appeal right arises at the earliest of: a) the date of the written

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decision that is delivered to the applicant, or b) the time for decision has run without a written decision. The Notice of Appeal, Objection or Challenge must state specifically the matter appealed from and the grounds for appeal. Notices of Appeal must be signed by the appellant or their authorized agent, representative, or attorney.

V. Status Quo

During the pendency of review or appeal, the status quo of the subject sign(s) shall be maintained. This does not apply whenever a sign, by virtue of its physical condition, constitutes an immediate threat to public safety.

W. Judicial Review

Following final decision by the City Council, any affected person may seek judicial review of the final decision on a sign permit application or other sign-related decision pursuant to the applicable provisions of the California Code of Civil Procedure.

X. Notices

Written notices by the City, required within this Chapter, shall be deemed given on the earliest of the following: when personally delivered, when publicly posted, or on the day of mailing. Notices are deemed effective when sent to the last known address of the addressee.

18.47.060 SIGNS EXEMPT FROM SIGN PERMIT REQUIREMENT

The signs listed in this section are exempt from the requirement of prior approval (either by sign permit or site plan review), but still subject to the rules stated in this Chapter. When any residential sign meets the definition of "structure" in the Building Code, or is electrified, then compliance with all safety codes (building permits, electrical permits, *etc.*) is required. Signs may also be exempted from the sign permit requirement by other sections of this Chapter, other chapters of this code, or other bodies of law.

- A. **Residential Signs.** All legal residential dwelling units are allowed a defined maximum cumulative display area, which is available at all times, subject to:
1. **Physical types:** residential signs may be free standing or mounted on doors, walls, or fences; flag poles not exceeding 25 feet cumulative of linear footage; roof-mounted signs are prohibited;
 2. **Permissible message types:** any variety or combination of constitutionally protected noncommercial speech (including but not limited to political / election signs); real estate signs (must be removed not more than five days

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after the proposed economic transaction is completed, or the property goes off the market); garage sale signs compliant with the other provisions in the Municipal Code addressing garage sales which is currently set forth at Section 7.21.060; construction site signs;

3. Prohibited message types: commercial messages other than those specified in the preceding subsection; general advertising for hire; any message whose public display is illegal;
4. Maximum display area: 16 square feet per parcel at all times; except during the Election Period this allowance may be increased up to 32 square feet per parcel per street frontage visible from the public right of way. The maximum display area is the cumulative total of all signs that are subject to the area limit. Not included within with the cumulative total: indicators of street address and occupants' name(s), visual images mounted on the ground (*i.e.*, door mats);
5. Illumination: special illumination of residential signs is prohibited; residential signs may be illuminated only by natural and legal ambient lighting;

B. Construction Site Signs, subject to:

1. On single-family residential properties, construction site signs shall be no larger than 20 square feet per street frontage;
2. For all other construction projects: maximum display area for signs shall be no greater than 50 square feet per frontage;
3. Construction site signs must be removed prior to final inspection or before issuance of a certificate of completion or certificate of occupancy, as applicable;
4. Illumination: prohibited.

C. Signs required or authorized by other bodies of law or court orders;

D. Signs required by the fire department to designate fire lanes;

E. Nameplate identification signs and combination name plates and address signs with letters that do not exceed three inches in height, are not illuminated, and do not exceed four square feet in area;

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- F. Window signs that do not exceed 15% of the area of a window or 12 square feet, whichever is less;
- G. Warning signs such as "no parking," "watch dogs," "private property," and "security service" that are not illuminated, do not exceed one square foot in area each, and do not project over a public right-of-way. No more than three of these signs shall be allowed per premises;
- H. Bulletin boards, provided they do not exceed sixteen square feet in area, do not project over a public right of way, and are not illuminated;

18.47.070 PROHIBITED SIGNS

The signs listed in this section are prohibited in all zones and at all times unless explicitly authorized or allowed by another provision of this Chapter, another chapter of the code, or other applicable law.

1. New billboards, conversion of existing billboards to digital or dynamic or tri-vision display, expansion of the display face of any existing billboard (except as authorized by state law), and the installation of an additional display face to an existing billboard structure;
2. Mobile billboards, but not including taxis or shuttle vehicles or public transportation vehicles that legally pass through the city;
3. Signs mounted on roofs, water towers, radio, television, or cell phone towers;
4. Signs mounted on fences;
5. Signs mounted on trees, bushes, or vegetation;
6. Signs placed on property (public or private) without consent of the property owner or other party holding the present right of possession and control;
7. Signs that obstruct any window, door, gate or opening used or required as a means of regular ingress or egress, legal light or ventilation, as a fire escape or other emergency access or escape;
8. Signs displayed on vacant or undeveloped lots;

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9. Signs whose intensity of illumination or size, shape or location interferes with the safe operation of a vehicle or creates distraction to the operator of a wheeled vehicle on adjoining public streets;
10. Signs mounted in such a manner as to obstruct the free flow of vehicular or pedestrian traffic;
11. Signs that are confusingly similar to authorized, official traffic and pedestrian control signs, even though they are in fact not traffic control signs;
12. Signs using animation, flashing, blinking, or intermittent light exceeding any of these operational parameters:
 - a. Illumination equivalent to incandescent light bulbs of sixty watts maximum per bulb;
 - b. Flashes or blinks more than 15 times per minute;
 - c. Chaser lights;
 - d. High intensity neon lights, tubes and flashing lights are prohibited on animated and flashing signs;
 - e. Rotating beacon lighting elements.
13. Advertising or attention-getting devices that are inflatable, float in air or water, or are activated by wind or forced air;
14. Temporary signs displaying off-site commercial messages or used for general advertising for hire, unless required by state law;
15. Signs placed in the public right-of-way, unless explicitly allowed by Chapter 13.28.
16. Signs mounted on motor vehicles parked in the public right of way.

18.47.080 PERMANENT SIGNS

Unless specifically exempted herein, all permanent signs require a sign permit. The following three types of signs are categorically exempt from this sign permit requirement: 1) signs installed and displayed pursuant to court order, statutory requirement or authorization; 2) signs on

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residential properties; 3) signs posted by any governmental entity in the execution of its official duties.

A. SIGNS LESS THAN SIX SQUARE FEET

The display on any non-residential parcel of any single sign or banner that is less than six square feet in area is allowed and is exempt from obtaining a sign permit.

B. DIRECTIONAL SIGNS

Directional signs which do not exceed a total of three square feet in size per sign, and total area combined does not exceed nine square feet per parcel, are allowed and are exempt from obtaining a sign permit.

C. FREESTANDING SIGNS

A maximum of two freestanding or monument signs, not to exceed a total of one hundred square feet, are allowed, subject to a sign permit, for single-family subdivisions, multi-family developments, and mobile home parks.

D. FLAGS

On residential land uses, a total of 24 square feet of flag area may be displayed at any and all times; on non-residential land uses, a total of 40 square feet of flag area may be displayed at any and all times. The number of flag poles is limited to cumulative linear footage as follows: 25 feet on residential lots and 35 feet on all other parcels or lots. Flag poles intended for permanent use are subject to appropriate building permits.

E. PERMANENT SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE AND INSTITUTIONAL ZONES

Except in shopping centers (where special rules, stated in the next subsection, apply) and public assembly uses (to which special rules, stated below, apply), permanent signs may be installed on or along the face of a building in commercial zones and commercial uses in a mixed-use zone, and industrial or institutional zones, subject to the following:

1. Signs exceeding twenty five square feet in display area:
 - a. Maximum number: one sign per establishment premise per frontage along a street, freeway, or parking lot;

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- b. Sign area on the primary frontage shall not exceed 30 percent of the area of the building face or four square feet of sign for each linear foot of building face along that frontage, whichever is greater;
 - c. Sign area on a secondary frontage shall not exceed 15 percent of the area of the building face or two square feet per linear foot of secondary frontage, whichever is greater;
 - d. The sign face shall not be located, such as by a cabinet, deep lettering, or architectural feature, more than 18 inches from a building face.
2. Permanent signs with 25 square feet or less of display area in Commercial, Industrial, Institutional, Mixed-Use and Multi-Family Zones:
 - a. Location: only in windows or along the face of a building;
 - b. Maximum total cumulative area: not exceeding ten percent of the wall or elevation on which the sign is placed;

F. PERMANENT SIGNS IN SHOPPING CENTERS

Permanent signs for establishments within a shopping center shall be limited to one per establishment premises per frontage on a common walkway, parking lot, driveway, alleyway, street, or freeway. The size and placement of these signs shall conform with the standards specified for Permanent Signs in Commercial, Industrial, Mixed-Use and Institutional Zones (Subsection 18.47.080(E)) as well as standards that may be applied through any required City Council or Planning Commission approval, including but not limited to a conditional use permit, planned development permit, specific plan, or variance.

G. PUBLIC ASSEMBLY USES.

On property used for public assembly, with periodically changing programs, the following signs may be installed and displayed, subject to a sign permit:

1. Wall sign: one wall mounted sign not to exceed twenty square feet in area per street frontage or parking lot frontage; and
2. One freestanding changeable copy directory sign not to exceed six feet in height and twelve square feet in area per street frontage or parking lot frontage shall be allowed;

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3. Provided, however, that the signs shall be architecturally related to the structure to which they are appurtenant;
4. Number Limit: No more than two wall-mounted signs plus no more than two freestanding signs.

H. POLE OR MONUMENT SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE, AND INSTITUTIONAL ZONES

Pole-mounted or freestanding signs are allowed subject to a sign permit in the commercial and industrial zones and non-residential uses in a mixed-use zone, subject to:

1. Number Limit: Pole signs or monument signs shall be limited to one sign per frontage on street, freeway, or parking lot, and may include a cluster sign identifying individual businesses on the parcel(s);
2. Display Area Limit:
 - a. The total area of any sign installed along the primary frontage shall not exceed four square feet per lineal foot of property on the primary frontage;
 - b. The total area of any sign installed along each secondary frontage shall not exceed two square feet per lineal foot of property on the secondary frontage;
3. Location: Sign structures shall not be placed within the required setback area applicable to that zone, except that projecting signs may protrude into or overhang a maximum distance of one-half of the setback.
4. Height Limit: Pole signs may be 1½ feet high for each 1-foot away from the centerline of the street on which the sign is located, but in no case exceeding:
 - a. MXC 1 & MXD 1 zones - 50 feet;
 - b. MXC 2 & MXD 2 zones - 50 feet. Signs exceeding 50 feet may be allowed if located near a freeway and approved by the Planning Commission as compatible with the other uses near the site;
 - c. CA & CS zones - 50 feet. Signs exceeding 50 feet may be allowed, up to a maximum of 75 feet, if located near a freeway and approved by the Planning Commission as compatible with the other uses near the site;

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- d. Industrial zones - 70 feet.
- e. Institutional zones – 50 feet.

I. ROTATING SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES

Signs that rotate are restricted to no more than eight revolutions per minute. Rotating signs are allowable only in commercial and industrial zones.

J. PROJECTING SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE, AND INSTITUTIONAL ZONES

Projecting signs may be installed and displayed, subject to a sign permit, in all commercial, industrial, mixed-use, and institutional zones, subject to:

1. Projecting signs shall not project over any public right-of-way, including streets or alleys, except as provided in Subsection D, below;
2. The maximum height of any projecting sign shall be 12 feet, and may project above any eave or parapet of less than 12 feet in height, but may not project inward over any such eave or parapet.
3. Maximum display area for all sides: 32 square feet.
4. Projecting signs may project over street parkways and required setback areas a maximum of one-half of the street parkway or setback width. For the purpose of this section, "street parkway" is defined as that part of the public street right-of-way lying between the front property line and the edge of the roadway.
5. Number limit: No more than one projecting sign shall be placed on each street frontage per business premises.
6. Qualification: A projecting sign shall be permitted only in lieu of a freestanding or marquee sign, and may not be utilized in addition to a freestanding or marquee sign.
7. Design: Projecting signs shall be supported so as to appear to be an architectural and integral part of the building. The sign shall be free of any extra bracing, angle iron, guy wires, or cables.

K. DIGITAL DISPLAY SIGNS

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Signs using digital display are allowed in the following zones: industrial, commercial, and mixed-use districts, subject to a sign permit, and subject to:

1. **Maximum height:** the same rule that would apply to the same sign if it were not using digital display;
2. **Minimum requirement:** digital display must be part of a master sign program;
3. **Maximum display area:**
 - a. For properties that front on arterial roadways, the digital display portion of the sign structure shall not exceed 25% of the allowable display area;
 - b. For properties that front on highways, the digital display portion of a sign shall not exceed 50% of the allowable display area;
 - c. **Maximum Number:** No more than one sign using digital display may be permitted on a site. The electronic message display may be single-faced or double-faced.
 - d. Signs using digital display may not project moving images or images that appear to move; each still image must be on display a minimum of 8 seconds; transitions between still images shall not exceed one second.
 - e. **Light Intensity:** each sign using digital display shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The nighttime intensity shall be limited to 0.3 foot-candles (over ambient levels) as measured at a preset distance as established by the Lewin Report as prepared for the Outdoor Advertising Association of America (OAAA). The city may modify or further restrict the intensity of any DAD display should the lighting create a distraction to drivers or an adverse effect on nearby residential property.
 - f. **Operational Hours:** the digital display portion of any sign shall not be operated between the hours of 10:00 p.m. and 7:00 a.m.

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- g. Signs using digital display shall be shielded or the light intensity reduced as necessary to prevent annoying glare impacting surrounding properties.
- h. All new signs using digital display, which are not attached to a building, shall be mounted on one support column only.
- i. Signs using digital display may be located on the wall of a building, provided the sign does not obscure any of the building's windows, architectural features, or other architectural details.
- j. No sign using digital display may be placed within one mile of another sign using digital display on the same side of a highway. No sign using digital display may be placed within 1000' of another digital display on any street.
- k. Signs using digital display are limited to noncommercial messages and onsite commercial messages; such signs may not be used as billboards or for purposes of general advertising for hire.

18.47.090 TEMPORARY SIGNS

All temporary signs must have attached to them contact information for the persons and/or entities placing the signs on public display. Such information must include, at a minimum, the name of the person(s) and/or entities, and currently valid contact information such as phone number, mailing address, or email address. The purpose of this requirement is to give the City a way to contact persons who exceeded the time limit or other rules regarding display of certain signs, and give them an opportunity to cure the violation. The contact information must be in an easily readable, common typeface, such as Times New Roman, Garamond, Helvetica, Arial, or similar. Type size must be at least ten point.

A. Construction Site Signs

Temporary signs may be installed and displayed on construction sites without permit, subject to:

1. The maximum total area for signs at single-family residential construction projects shall be 20 square feet per street frontage;
2. The maximum area of signage at other construction projects shall be 50 square feet per street frontage;

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3. For any request for square-footage exceeding the limits set forth in Subsections A.1. and A.2., a temporary use permit is required, the granting or denial of which shall be based solely on objective criteria such as time, location, and size;
4. All signs must be removed prior to and as a condition of the final inspection and approval of the project.

B. Temporary Signs Regarding Real Property Offered For Sale or Lease

Temporary signs may be installed and displayed on real property that is currently offered for sale or lease, or otherwise pursuant to Civil Code 713, without a sign permit, subject to:

1. A maximum of two temporary signs may be installed on developed or undeveloped property, with the following requirements and specifications for the sign:
 - a. The maximum area of signage allowed by this section per parcel per street frontage in commercial, industrial, mixed-use, multi-family, or institutional zones shall be 50 square feet;
 - b. These signs shall not be specially illuminated;
 - c. Such signs shall be removed within ten days following the lease or sale of the premises on which the sign is displayed.

C. Temporary Signs For Special Events

Temporary signs may be installed and displayed when related to and for the duration of thirty (30) days prior and five (5) days after a special event, subject to:

1. Special Event Signs in Commercial, Industrial, Multi-family, Mixed-use and Institutional zones
 - a. Temporary signs which do not cumulatively exceed 32 square feet in display area per street frontage, are allowed subject to a special event permit;
 - b. Temporary signs, except flags and banners, shall not be fastened directly to the exterior wall or face of any building. Temporary signs may be displayed in windows or on display boards, provided the combined total area of all signs does not exceed ten percent of

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the area of the building face upon which the signs are mounted.
(See Section 18.47.120 for restrictions on flags and banners.)

D. Temporary Signs in Residential Zones

Refer to Section 18.47.060 for signs in residential zones.

18.47.100 VEHICLE SIGNS

Buses and taxis that legally traverse the public streets may display advertising; however, mobile billboards are prohibited on public streets and parking spaces.

18.47.110 MURALS

Murals or mural-type signs, including those described as artistic murals, shall be treated as any other sign subject to signage area requirements.

18.47.120 FLAGS, BANNERS, AND PENNANTS

- A. Permit required: All banners require the approval of the planning division. In order to obtain approval, see application and drawings required at the city planning division.
- B. Auto Sales Lots

These provisions apply to all motor vehicle sales. Flags, banners and pennants may be displayed on automobile sales lots without time limitation or site plan review, provided that:

1. The displays are properly maintained;
2. Displays are limited to the perimeter of the lot;
3. Displays do not exceed a height of twenty-five feet above the ground;
4. Displays may not be used in place of a permanent sign.

C. Other Commercial and Industrial Uses

Flags, banners, and pennants may be displayed on other commercial and industrial uses for a cumulative period of sixty days within each calendar year. The time limit commences when a banner permit is issued by the planning director. The sixty-day period may be divided into two occasions per calendar year, provided the total display time does not exceed sixty days per calendar year. A banner permit fee and an administrative fee in an amount representing the anticipated city enforcement costs in causing the applicant to remove flags or banners shall be paid to the city treasurer at the time of application for site plan review. The administrative fee shall be refunded upon the verified removal of the flag or banner by the specified deadline.

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- D. The following shall apply to all displays of commercial flags, banners, and pennants, except for displays on auto sales lots:
1. Must be removed by the owner or occupant within fifteen days after a determination by the city manager or that the display is improperly maintained or the flag, banner or pennant is tattered or worn;
 2. Shall not be larger than forty square feet (cumulative of all visible copy/image areas);
 3. Shall not be displayed in lieu of a permanent sign;
 4. Shall not be placed on a roof, placed in required yard areas, or landscaped areas;
 5. Must be compatible with the primary building's appearance;
 6. Violation of the time limits shall render the site ineligible for issuance of a permit for display of a flag, banner or pennant for a period of one year from the date that the violation is abated;
 7. The restrictions of this section shall also apply to signs and banners located within the first eight feet of the interior of commercial or industrial premises when such sign or banner is visible to the exterior.

18.47.130 MASTER SIGN PROGRAMS

A. Purpose and Applicability

The purpose of the master sign program provisions is to provide a coordinated approach to signage for National City's business districts, which include but not limited to the Harbor District, Downtown, Mile of Cars, and Plaza Bonita. Whenever a development project will have 6 or more separately leased spaces, then a master sign program is required.

B. Approval

A master sign program shall require the approval of the planning commission and the city council, after considering the proposed design standards.

C. Design Standards

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Master sign programs shall feature a unified and coordinated approach to the materials, color, size, type, placement and general design of signs proposed for a project or property.

D. Effect of Master Sign Program

All subsequent signs proposed for a development or property subject to an approved master sign program shall comply with the standards and specifications included in the master sign program.

18.47.140 NONCONFORMING SIGNS; ABANDONED USES

Signs that were legal when first installed, and which have not been modified or expanded in a manner that was illegal at the time of modification or expansion, may continue in use, so long as there is no modification or expansion which violates the regulations of this Chapter. If the size or configuration of a parcel or building is changed by the subdivision or splitting of the property or alterations to the building or parcel, property identification signs and outdoor advertising signs on the resulting properties shall be required to conform to the sign regulations applicable to the newly created parcel or parcels, at the time such change becomes effective.

Nonconforming signs shall be removed or made conforming when the business or property changes occupancy or ownership.

A. Change of Land Use / Nonconforming Signs

When there is a change in the use of land upon which are located signs that do not conform to this Chapter, then all signs on the parcel, lot, or leasable space must be brought into conformance with this Chapter and all other applicable laws, rules, regulations and policies.

B. Abandoned Site or Building

When the use of any parcel or building is vacated, terminated, or abandoned for any reason for a period of more than ninety consecutive days, the owner or person in possession of the property shall be responsible for the physical removal of all signs on the property, building or wall(s), and for painting over the surface so as to obliterate any painted or printed signs on the building so that the copy is not visible, within thirty days following notice from the city. Removal, painting out, or obliteration shall be performed in a manner that does not create a blighting influence. Any sign that relates or pertains to an establishment that is not actually operating on the same site for a period of ninety (90) or more consecutive calendar days shall be considered abandoned. Legal nonconforming use rights are extinguished when a sign qualifies as abandoned.

18.47.150 SAFETY, MAINTENANCE, AND REFACING

PROPOSED ORDINANCE

A. Safety Codes – Compliance Required

All signs must comply with the applicable Uniform Building, Mechanical, Electrical Codes and other safety codes adopted by the City. ~~Safety Code~~ Permits for installation shall be obtained, when required, prior to any installation, from the director of building and safety.

B. Maintenance

All signs and their supporting structures and components shall be maintained in a state of safe condition and good repair. Signs shall be "face washed" at least once a year. Electrically energized components must bear the seal of approval of an approved testing laboratory. Broken faces and burned-out lamps, bulbs, or tubes must be replaced within thirty days from the date of notification from the City. ~~All permanent signs shall be "face washed" at least once a year. Electrically energized components must bear the seal of approval of an approved testing laboratory. Broken faces and burned-out lamps, bulbs, or tubes must be replaced within fifteen days from the date of notification from the city.~~

C. Refacing

Changing the copy or refacing of a sign shall require a sign reface permit. No consideration of message content shall occur. The purpose is to maintain an inventory of signs.

18.47.160 ENFORCEMENT AND REMOVAL

A. Public Nuisance

All violations of this Chapter are declared to constitute public nuisances which may be abated by any method provided by law.

B. Enforcement

Each day of violation or non-compliance with these regulations shall be deemed as a separate offense and subject to all remedies available at law. Legal procedures and penalties shall be in accordance with the enforcement procedures established by the municipal code or state law.

C. Illegal Signs

Illegal signs may be abated by the City in accordance with its Municipal Code, state law, including but not limited to Business and Professions Code 5499.1 et. seq., or state law on abatement of public nuisances, or as otherwise provided by law.

D. Summary Abatement – Safety Hazards

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If any sign is an immediate threat to the public health and safety by virtue of the physical condition of the sign structure, said sign may be immediately and summarily removed with the cost of such removal charged to the property owner in accordance with this Chapter.

E. Notice of Violation

Whenever any sign or part thereof, other than those causing an immediate threat to the public health and safety, constitutes an illegal sign and/or is erected or maintained in violation of this Chapter, the Director shall give written notice to all Responsible Parties to remove the sign or to bring it into compliance. The notice shall specify the nature of the violation, and give directions for a cure, which may include complete removal or replacement by a specific date. The notice shall advise the permittee, owner or person in charge of the sign of the hearing rights established by this Chapter. The date for removal specified in the written notice shall not be less than ten (10) days from the date of the mailing of the notice. The responsible party receiving notice may request a hearing as detailed in 18.47.050.

F. Removal of Uncured Violations

Whenever the Responsible Parties fail to comply with an order of the Director made pursuant to this Section, and the time for cure has elapsed without the cure being effected, the Director may remove the sign, or order it removed, either by the City's own force or by a private party under contract. The expense of the removal may be charged, jointly and severally, to any and all responsible parties. Such amount shall constitute a debt owed to the City. No permit shall thereafter be issued to any permittee, owner or person in charge of a sign who fails to pay such costs. Any costs, including attorney's fees, incurred by the City in collection of the costs shall be added to the amount of the debt.

G. Cumulative Remedies

The provisions of this Section are alternative and additional remedies for the enforcement of this Chapter. Nothing in this Section shall preclude the City from enforcing the provisions of this Chapter by any other criminal, civil or administrative proceeding.

18.47.170 SEVERABILITY

The city council declares that the judicial invalidity of any subsection or portion of this chapter shall not affect the validity of any other remaining section or portion; that the city council would have adopted each of those remaining portions, notwithstanding any later declared invalidity. If any provision determined invalid under the preceding sentence can either be judicially severed or interpreted in a way that could harmonize it with the remaining provisions, then it may be severed or interpreted and applied so as to give full purpose, meaning, and effect to the remaining provisions of this chapter.

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Sign Ordinance – Proposed PC 5.4.15

SIGN ORDINANCE CHANGES

Key: *New/changed language* ~~*Deleted language*~~

Chapter 18.47- ~~SIGNS AND OUTDOOR ADVERTISING DISPLAYS~~ (Title Changed to SIGNS ON PRIVATE PROPERTY AND PUBLIC PROPERTY NOT OWNED BY THE CITY OR ITS AFFILIATED AGENCIES)

18.47.010- Purpose. (expanded to include 'authority, scope, and intent' – now section 18.47.020)

(Brand new section) **18.47.010 TITLE**

This Chapter shall be known as the Regulatory Sign Ordinance of the City of National City, California.

18.47.020 AUTHORITY, SCOPE, INTENT, PURPOSES

A. Authority

This Chapter is enacted pursuant to the City's general and police powers, California Constitution Article XI, Section 7; California Government Code Sections 65000 *et seq.*, 65850(b), 38774, and 38775; Business and Professions Code Sections 5200 *et seq.*, 5230, 5490 *et seq.*, 13530 *et seq.* and 13540; Penal Code Section 556 *et seq.*; and other applicable state laws.

B. Scope

This Chapter regulates signs, as defined herein, which are located within the corporate limits of the City of National City and over which the City has land use regulatory authority, but not on City owned land. Signs on City land are subject to Chapter 13.28. Signs used in conjunction with parades, protests, demonstrations and outdoor public assemblies are regulated as temporary uses under Chapter 15.60.

C. Intent

By adoption of this Chapter, the City Council intends to create and implement a comprehensive system for the regulation of signs within the scope of this Chapter, *with* a regulation system that: 1) accommodates the expression rights of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution; 2) comports with all applicable principles of federal and state constitutional, statutory and administrative law.

D. Purposes and Interests Served

The purposes of this Chapter include, but are not limited to: 1) serving the governmental and public interests in controlling visual clutter, community esthetics, and safety of drivers, passengers, and pedestrians; 2) aiding in the identification of properties, land

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uses, enterprises and other establishments; 3) enhancing the general appearance and esthetics of the urban environment; and 4) protecting the natural beauty of the City's open space.

(Brand new section) **18.47.030 BASIC PRINCIPLES**

A. Message Neutrality Policy

It is the policy of National City to regulate signs in a manner that does not favor commercial speech over noncommercial speech and does not regulate protected noncommercial speech by message content.

B. Message Substitution Policy

A constitutionally protected noncommercial message may be substituted, in whole or in part, for any allowed commercial message or any other protected noncommercial message, provided that the sign structure or mounting device is legal. Any substitution shall require the private property owner's consent. The purpose of this provision is to prevent any favoring of commercial speech over non-commercial speech, or favoring of any particular protected noncommercial message over any other protected noncommercial message. The message substitution policy does not: 1) create a right to increase the total amount of sign display area on a site or parcel; 2) create a right to substitute an off-site commercial message in place of an onsite commercial message or in place of a noncommercial message; 3) affect the requirement that a sign structure or mounting device must be properly permitted; 4) authorize changing the physical method of image presentation (such as digital or neon) display without a permit; or 5) authorize a physical change to the sign structure without compliance with applicable building codes, safety codes, and neutrally-applicable rules for sign size, height, orientation, setback, separation or illumination.

C. Enforcement Authority

The Director is authorized and directed to administer and enforce this Chapter.

D. Administrative Interpretations

Interpretations of this Chapter are to be made initially by the Director in consultation with the City Attorney. The Director may refer an interpretation question to the Planning Commission. All interpretations of this Chapter are to be exercised in light of the message neutrality and message substitution policies. Where a particular type of sign is proposed, and the type is neither expressly allowed nor prohibited by this chapter, or whenever a sign does not qualify as a "structure" as defined in the Building Code, as

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adopted by the City, then the Planning Commission or Director, as applicable, shall approve, conditionally approve or disapprove the application based on the most similar sign type, using physical and structural similarity, that is expressly regulated by this chapter.

E. Responsibility for Compliance

The responsibility for compliance with this Chapter rests jointly and severally upon the sign owner, the permit holder, all parties holding the present right of possession and control of the property whereon a sign is located, mounted or installed, and the legal owner of the lot or parcel, even if the sign was mounted, installed, erected or displayed without the consent or knowledge of the owner and / or other parties holding the legal right to immediate possession and control.

F. Onsite-Offsite Distinction

Within this Chapter, the distinction between onsite signs and offsite signs applies only to commercial messages. It does not apply to non-commercial messages.

18.47.020- Site plan review and/or sign permit required. (expanded to cover all possible permits, including application, review, and appeals – now section 18.47.050)

~~A.— Site Plan Review and/or Sign Permit Approval. Signs allowed by this chapter may not be installed until a site plan review and/or sign permit is conducted and approved (see Section 18.12.100) and a finding of compliance is made with the design criteria identified in this chapter by the planning division. Signs that are not consistent with the design criteria outlined in this chapter may not be installed. This determination may be appealed pursuant to the provisions of Section 18.12.060~~

~~B.— Considerations. Site plan review and/or a sign permit shall be limited to considerations of the location, installation or placement, size, public safety and sight distance, view blockage, and comparable matters, and not to the content of the message conveyed by the sign or banner, except when the publication of such message is unlawful.~~

~~C.— Exempt Signs. Site plan review and sign permits are not required for exempt signs pursuant to Section 18.12.100(C).~~

18.47.050 SIGN PERMITS, OTHER SIGN-RELATED DECISIONS, APPEALS

A. Sign Permit Generally Required

Unless exempted from the sign permit requirement, all signs regulated by this Chapter may be installed, maintained, erected, or displayed only pursuant to sign permit

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pursuant to this Chapter, and a finding of compliance is made by the Planning Division, using the design criteria identified in this Chapter and other applicable regulations. A sign permit may be approved subject to conditions, so long as those conditions are required by this Chapter or some other applicable law, rule or regulation.

B. Compliance Required

No permit shall be issued for any sign or sign structure except in compliance with the provisions of this Chapter. A sign permit may be subject to compliance with permitting requirements imposed by other sources of law, including the safety codes for building, electrical, plumbing, grading, etc. Where there is a conflict between the provision of this Chapter and other applicable regulations, the more restrictive shall apply.

C. Right to Permit or Display

When any sign permit application is complete and fully complies with all applicable provisions of this Chapter, and all other applicable laws, rules and regulations, the permit shall be approved and issued within the required time. In the case of signs which are exempt from the sign permit requirement, there is a right to erect, display and maintain such signs as are authorized by this Chapter, subject to the applicable rules. This "right to permit" provision does not apply when the relevant city law is under active consideration for amendment at the time the application for a sign permit is submitted, or when the rules or regulations relevant to the application are changed prior to the expiration of the time for decision.

D. Legally Existing Signs; Alterations

Signs legally existing prior to the effective date of this Chapter shall be exempt from the sign permit requirement unless a structural alteration is made, the sign area or any other point of nonconformity is enlarged or expanded, or there is some other change in the structural elements of the sign. Structural alterations and expansions require a sign permit.

E. Review

All sign permit applications shall be initially reviewed by the Director. In the case of any discretionary permit in which signage is included, such as a master sign program, a specific plan including signs, a variance, or an appeal, the Director shall prepare a report for the body which shall hear the matter, the Planning Commission or City Council. The report may, but is not required, to include recommendations.

F. Application for a Sign Permit

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Any person seeking a sign permit for a sign shall submit to the Director a written application for such. The Director shall prepare a sign permit application form and provide it to any person on request, along with such other materials and information as applicants need to submit for a permit. The same form may be used for both the application and the decision thereon. A single form may be used for multiple signs on the same site; however, the Director may make separate decisions as to each sign. A sign permit application is complete only when it is accompanied by the appropriate application fee, in an amount set by resolution of the City Council.

G. Application Contents

The sign permit application form may call for the following information:

1. Name, address and telephone number of the applicant and, if applicable, the name, address, and telephone number; when the applicant is not the holder of legal title to the property, consent to the installation of the sign by the person(s) or entities who hold legal title and the present right of possession and control of the property; when the sign is proposed to be installed by a sign contractor, the name, address, contact information, and the license number, if any, of the contractor;
2. As to the proposed location for the sign, multiple sets of a fully dimensioned Site Plan (drawn to scale) indicating the street address, Assessor's Parcel Number, zone classification, all property lines, public and private street lines (including center lines), structures, easements, utility poles and wires, and the location and size (in square feet) of all existing and proposed signs;
3. As to existing signs already on parcel, information as to whether each is permitted or exempt from permitting;
4. Accurate and scaled building elevation showing existing and proposed building signs; including existing and proposed sign area of each individual sign and the combined area of all signs (including those already existing or previously permitted) in relation to the maximum allowed sign area;
5. A statement as to whether the sign is intended to be used in whole or in part for off-site commercial messages, advertising for hire or general advertising;
6. A statement or graphical description as to whether the proposed sign, or any part of it, is proposed to utilize any of the following physical methods of message presentation: sound; odor, smoke,

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fumes or steam; rotating, moving or animated elements; activation by wind or forced air; neon or other fluorescing gases; fluorescent or day-glow type colors; flashing or strobe lighting; light emitting diodes, liquid crystal displays or other video-like methods; digital display technology; use of live animals or living persons as part of the display; mannequins or statuary;

7. A statement as to whether the property or parcel on which the sign is proposed to be erected or displayed, or any currently existing sign thereon, is the subject of any outstanding notice of zoning violation or notice to correct, including whether any such deficiencies are to be remedied by the proposed application;
8. Photographs of the existing property, parcel and/or building on which the sign is proposed to be erected or displayed;
9. In the case of any proposed sign which is subject to a discretionary process, such as a variance, conditional use permit, or sign program, all information required by such process(es);
10. The Director is authorized to modify the list of information to be provided on a sign permit application; however, additions may be made only after thirty (30) days public notice. The Director is also authorized to request, require or accept application materials, in whole or in part, in electronic form, and to specify the acceptable computer formats for such submissions.

H. Completeness

As the first step in processing a sign permit application, the Director shall determine whether the application is complete. If the application is not complete, the applicant shall be so notified in person or in writing initially within 30 days of the date of receipt of the application; the notice of incompleteness shall state the points of deficiency and identify any additional information necessary. The applicant shall then have thirty (30) calendar days, to submit additional information to render the application complete.

I. Disqualification

No sign permit application will be approved if:

1. The applicant has installed a sign in violation of the provisions of this Chapter and, at the time of submission of the application, each illegal or non-permitted sign has not been legalized, removed or a cure included in the application;

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2. There is any other existing code violation located on the site of the proposed sign(s) (other than an illegal or nonconforming sign that is not owned or controlled by the applicant and is located at a different establishment) which has not been cured at the time of the application, unless the noncompliance is proposed to be cured as part of the application;
3. The sign 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;
4. The applicant has not obtained any applicable required use permit or conditional use permit. However, applications for such permits may be processed simultaneously with a sign permit application.

J. Applications for Multiple Signs

When an application proposes two or more signs, the application may be granted either in whole or in part, with separate decisions as to each proposed sign. When a multiple sign application is denied in whole or in part, the Director's written notice of determination shall specify the grounds for such denial.

K. Discretion

When discretion is authorized for a master sign program or site plan review, that discretion may be exercised only as to location, structural and safety factors, and not as to message content, graphic design or artistic merit. Permissible factors for consideration include: style or character of existing improvements upon the site and lots adjacent to the site; construction materials; number and spacing of signs in the area; the sign's height, design, and location in relation to its proposed use; form, proportion, scale, overall sign size; potential effect of the proposed sign on driver and pedestrian safety; potential blocking of view (whole or partial) of a structure or facade or public view of historical or architectural significance; potential obstruction of views of users of adjacent buildings.

L. Master Sign Programs

Permit applications for Master Sign Programs as part of planned commercial, office-professional and industrial development shall include the above information as part of a Site Development Plan or Specific Plan. When approval is sought for a development that includes one or more signs, then the sign aspects of the proposed development

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must satisfy the applicable provisions of this Chapter. In addition, when a development project will have 6 or more leased spaces, it must also comply with the Master Sign Program requirements set forth in Section 18.47.130. Such proposals may be reviewed by the Director and shall be decided by the Planning Commission. In preparing a report for the Planning Commission, the Director may, but is not required to, make recommendations.

M. Revocation or Cancellation

The Director may revoke any approval or permit upon refusal or failure of the permittee to comply with the provisions of the permit and the requirements of this Chapter, after written notice of noncompliance and at least fifteen (15) calendar days opportunity to cure. However, opportunity to cure does not apply when a sign, by virtue of its physical condition, constitutes an immediate and significant threat to public safety.

N. Permits Issued in Error

Any approval or permit issued in error may be summarily revoked by the Director upon written notice to the permittee, stating the reason for the revocation. "Issued in error" means that the permit should not have been issued in the first place and includes but is not limited to omissions, errors or misrepresentations in the application materials, and oversights or errors in the processing thereof.

O. Inspections

All signs subject to one or more safety permits (building, plumbing, electrical, grading, etc.) require final inspection and approval by the Building Official.

P. Sign-Related Decisions

Challenges or objections to sign-related decisions, notices and orders, other than approval or denial of a sign permit, do not require a particular form, but must be in writing, signed by the applicant or challenger, and particularly state the matter challenged and the grounds therefore. Challenges shall be made to the Director within 30 days of the date of the decision, notice, and/or order. Challenges and objections to sign-related decisions not made in accordance with these procedures shall not be eligible for appeal.

Q. Levels of Review; Order of Review

Except for signs subject to initial review by the Planning Commission, initial review and decisions on all sign permit applications shall be by the Director unless otherwise stated herein; appeal is first to the Planning Commission and then to City Council.

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R. Safety Codes

When a proposed sign, by virtue of its physical, structural, location, and other non-message factors, is subject to any permits or requirements under the safety codes, then satisfaction of such requirements shall be a condition of the sign permit.

S. Permit Denial

When a sign permit application is denied, the denial shall be in writing and sent or delivered to the address shown on the applicant's application form, and shall specifically state the grounds for denial.

T. Timely Decision

At each level of review or appeal, the decision shall be rendered in writing within 30 calendar days. The time period begins running when an appeal, challenge or objection is received, the application is complete (or is deemed complete because no notice of incompleteness has been given), an amendment is received, or the notice of appeal has been filed, whichever applies. The timely decision requirement may be waived by the applicant or appellant. If a decision is not rendered within the required time, then the application or appeal shall be deemed denied; in the case of an appeal, the lower level decision shall be deemed affirmed.

U. Appeal

Any decision regarding a sign permit application or other sign-related decision may be appealed by any affected person. Notices of Appeal and challenges and objections to sign-related decisions must be filed with the City Clerk within thirty calendar days of the decision; if City offices are not open on the thirtieth day, then the time period is extended to the next day City offices are open to the public. Appeals shall be heard by the Planning Commission. The decision of the Planning Commission may be appealed to the City Council pursuant to 18.12.060, as augmented by this Chapter. The appeal right arises at the earliest of: a) the date of the written decision that is delivered to the applicant, or b) the time for decision has run without a written decision. The Notice of Appeal, Objection or Challenge must state specifically the matter appealed from and the grounds for appeal. Notices of Appeal must be signed by the appellant or their authorized agent, representative, or attorney.

V. Status Quo

During the pendency of review or appeal, the status quo of the subject sign(s) shall be maintained. This does not apply whenever a sign, by virtue of its physical condition, constitutes an immediate threat to public safety.

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W. Judicial Review

Following final decision by the City Council, any affected person may seek judicial review of the final decision on a sign permit application or other sign-related decision pursuant to the applicable provisions of the California Code of Civil Procedure.

X. Notices

Written notices by the City, required within this Chapter, shall be deemed given on the earliest of the following: when personally delivered, when publicly posted, or on the day of mailing. Notices are deemed effective when sent to the last known address of the addressee.

(Brand new section) 18.47.060 SIGNS EXEMPT FROM SIGN PERMIT REQUIREMENT

The signs listed in this section are exempt from the requirement of prior approval (either by sign permit or site plan review), but still subject to the rules stated in this Chapter. When any residential sign meets the definition of "structure" in the Building Code, or is electrified, then compliance with all safety codes (building permits, electrical permits, etc.) is required. Signs may also be exempted from the sign permit requirement by other sections of this Chapter, other chapters of this code, or other bodies of law.

- A. Residential Signs. All legal residential dwelling units are allowed a defined maximum cumulative display area, which is available at all times, subject to:
1. Physical types: residential signs may be free standing or mounted on doors, walls, or fences; flag poles not exceeding 25 feet cumulative of linear footage; roof-mounted signs are prohibited;
 2. Permissible message types: any variety or combination of constitutionally protected noncommercial speech (including but not limited to political / election signs); real estate signs (must be removed not more than five days after the proposed economic transaction is completed, or the property goes off the market); garage sale signs compliant with the other provisions in the Municipal Code addressing garage sales which is currently set forth at Section 7.21.060; construction site signs;
 3. Prohibited message types: commercial messages other than those specified in the preceding subsection; general advertising for hire; any message whose public display is illegal;
 4. Maximum display area: 16 square feet per parcel at all times; except during the Election Period this allowance may be increased

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up to 32 square feet per parcel per street frontage visible from the public right of way. The maximum display area is the cumulative total of all signs that are subject to the area limit. Not included within with the cumulative total: indicators of street address and occupants' name(s), visual images mounted on the ground (*i.e.*, door mats);

5. Illumination: special illumination of residential signs is prohibited; residential signs may be illuminated only by natural and legal ambient lighting;

B. Construction Site Signs, subject to:

1. On single-family residential properties, construction site signs shall be no larger than 20 square feet per street frontage;
2. For all other construction projects: maximum display area for signs shall be no greater than 50 square feet per frontage;
3. Construction site signs must be removed prior to final inspection or before issuance of a certificate of completion or certificate of occupancy, as applicable;
4. Illumination: prohibited.

C. Signs required or authorized by other bodies of law or court orders;

D. Signs required by the fire department to designate fire lanes;

E. Nameplate identification signs and combination name plates and address signs with letters that do not exceed three inches in height, are not illuminated, and do not exceed four square feet in area;

F. Window signs that do not exceed 15% of the area of a window or 12 square feet, whichever is less;

G. Warning signs such as "no parking," "watch dogs," "private property," and "security service" that are not illuminated, do not exceed one square foot in area each, and do not project over a public right-of-way. No more than three of these signs shall be allowed per premises;

H. Bulletin boards, provided they do not exceed sixteen square feet in area, do not project over a public right of way, and are not illuminated;

18.47.030- Unlawful display of signs or banners prohibited. (Incorporated into new section 18.47.070 – PROHIBITED SIGNS)

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~~A—Except as provided in this chapter and in Section 18.12.100, it is unlawful for any person or entity to install, maintain, or allow the installation or maintenance of a sign or banner as defined in this chapter in any zone.~~

~~B—The reference to a specific prohibition in this chapter shall not affect the validity and effect of the general prohibition set forth in this chapter or its application regulating the uses of property outlined throughout the remainder of the Land Use Code, nor shall it affect Chapter 10.54 prohibiting the maintenance of graffiti as a public nuisance.~~

~~C—This chapter shall not apply to any governmental agency or to any regulatory sign prescribed or required by federal or state law or local ordinance.~~

~~D—Nothing in this chapter is intended to authorize the installation of a sign or banner without the permission of the owner or occupant of that property.~~

~~E—Within this chapter, all regulations shall refer and apply only to "on-site" displays of signs and banners. When a regulation is made applicable to an "off-site" display, it shall be so designated. Unless so designated, off-site displays are prohibited. Off-site displays include "sign spinners."~~

18.47.070 PROHIBITED SIGNS

The signs listed in this section are prohibited in all zones and at all times unless explicitly authorized or allowed by another provision of this Chapter, another chapter of the code, or other applicable law.

1. New billboards, conversion of existing billboards to digital or dynamic or tri-vision display, expansion of the display face of any existing billboard (except as authorized by state law), and the installation of an additional display face to an existing billboard structure;
2. Mobile billboards, but not including taxis or shuttle vehicles or public transportation vehicles that legally pass through the city;
3. Signs mounted on roofs, water towers, radio, television, or cell phone towers;
4. Signs mounted on fences;
5. Signs mounted on trees, bushes, or vegetation;
6. Signs placed on property (public or private) without consent of the property owner or other party holding the present right of possession and control;

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7. Signs that obstruct any window, door, gate or opening used or required as a means of regular ingress or egress, legal light or ventilation, as a fire escape or other emergency access or escape;
8. Signs displayed on vacant or undeveloped lots;
9. Signs whose intensity of illumination or size, shape or location interferes with the safe operation of a vehicle or creates distraction to the operator of a wheeled vehicle on adjoining public streets;
10. Signs mounted in such a manner as to obstruct the free flow of vehicular or pedestrian traffic;
11. Signs that are confusingly similar to authorized, official traffic and pedestrian control signs, even though they are in fact not traffic control signs;
12. Signs using animation, flashing, blinking, or intermittent light exceeding any of these operational parameters:
 - a. Illumination equivalent to incandescent light bulbs of sixty watts maximum per bulb;
 - b. Flashes or blinks more than 15 times per minute;
 - c. Chaser lights;
 - d. High intensity neon lights, tubes and flashing lights are prohibited on animated and flashing signs;
 - e. Rotating beacon lighting elements.
13. Advertising or attention-getting devices that are inflatable, float in air or water, or are activated by wind or forced air;
14. Temporary signs displaying off-site commercial messages or used for general advertising for hire, unless required by state law;
15. Signs placed in the public right-of-way, unless explicitly allowed by Chapter 13.28.
16. Signs mounted on motor vehicles parked in the public right of way.

18.47.040- Definitions. (Minor changes as noted)

A As used in this chapter and in addition to the definitions in the glossary, the following definitions or concepts shall be applicable:

4. "Banner" is any flexible material, such as cloth, plastic, vinyl, paper, cardboard or thin metal, with or without a "message," attached outdoors to a building, structure or mounting device, or attached indoors to a building, structure or

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mounting device so as to be visible from the exterior of a building, or structure. The term "banner" includes a pennant, flag, or bunting.

~~2. "Billboard" means a sign which directs attention to a business, community service or entertainment not exclusively related to the premises where such sign is located.~~

"Billboard" means a permanent sign structure in a fixed location which meets any one or more of the following criteria: (1) it is used for the display of off-site commercial messages; (2) the message display area, or any part thereof, is made available to message sponsors other than the owner(s) or operator(s) of the sign, typically for a fee or other consideration, *i.e.*, it is general advertising for hire; (3) the sign is a principal or secondary use of the land, rather than appurtenant or accessory to some other principal use of the land.

~~3.~~ "Bunting" is a form of banner that is typically presented and displayed in a folded or gathered fashion or combination. It may include a display in combination with a flag or banner. Depending on the format of the display, the term may be synonymous with banner.

4. "Business premises" refers to specific business occupancy within a building or upon a parcel of land, typically having a specific address and discrete entrance(s) and exit(s) so as to maintain a specific business identity and location.

~~5.~~ "Changeable copy sign" refers to a sign displaying a "message" that is changed by means of moveable letters, slats, lights, light emitting diodes, or moveable background material.

"Digital signs," "dynamic signs," and CEVMS (changeable electronic variable message signs) are all within this definition.

"City" means the City of National City California.

"City property" means any parcel of land or separately leasable space over which the City or any of its related entities, holds the present right of possession and control, regardless of who may hold legal fee title, or that is within the public right-of-way.

"Commercial mascot" means a person or animal attired or decorated with commercial insignia, images, costumes, masks or symbols, and/or holding signs displaying commercial messages, when a principal purpose is to draw attention to or advertise a commercial enterprise. This definition includes "sign twirlers," "sign

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clowns,” “sign spinners,” “sign twirlers,” and “human sandwich board” signs. Also known as “living signs.”

“Commercial message” means a message that proposes a commercial transaction or pertains primarily to the economic and commercial interests of the message sponsor and/or the sign audience.

“Construction site sign” means a sign that is displayed on the site of a construction development project during the period of time of actual construction.

“Digital display” means display methods utilizing LED (light emitting diode), LCD (liquid crystal display), plasma display, projected images, or any functionally equivalent technology, and which is capable of automated, remote or computer control to change the image, either in a “slide show” manner (series of still images), or full motion animation, or any combination of them.

“Director” means the City Manager or designee.

~~6. “Directional sign” is any individual sign used to provide directions to pedestrians and vehicular traffic. It shall not include a grouping or mosaic of individual signs that are arranged in such a manner as to constitute a larger sign.~~

“Election period” means that period of time which begins 60 days before a special, general, or primary election in which at least some registered voters in the City are eligible to vote, and ends ten days after such election.

“Establishment” means any legal use of land, other than long-term residential, which involves the use of structures subject to the Building Code. By way of example and not limitation, this definition includes businesses, factories, farms, schools, hospitals, hotels and motels, offices and libraries, but does not include single-family homes, mobile homes, residential apartments, residential care facilities, or residential condominiums. Multi-unit housing developments are considered establishments during the time of construction; individual units are not within the meaning of establishment once a certificate of occupancy has been issued or once a full-time residency begins.

“Establishment premises” means a specific occupancy within a building or upon a parcel of land, typically having a specific address and discrete entrance(s) and exit(s) so as to maintain a specific identity and location.

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~~7.~~ "Flag" ~~is a form of "banner" that is mounted and displayed outdoors on a pole.~~ means a piece of fabric or other flexible material, usually rectangular, of distinctive design, used as a symbol.

~~8.~~ "Freestanding sign" means a sign which is permanently supported on the ground by one or more uprights, braces, poles, or other similar structural components that are not attached to any building. This category includes both monument and pole signs.

~~9.~~ "Frontage" when used as a measurement reference of a building or business premises, shall refer to the distance between the two most distant corners of a building measured in a straight line along the building face bordering the adjoining street. See the glossary pertaining to frontage when made applicable to a parcel of land. It shall also refer to the elevation of a building that abuts or adjoins a private or public right-of-way or parking lot.

"Garage sale sign" means a sign whose message concerns short-term rummage, estate, boutique or garage sales of used or handmade common household items from a residential property.

"General advertising," also known as "general advertising for hire," means the enterprise of advertising or promoting other businesses or causes using methods of advertising, in contrast to self-promotion or on-site advertising.

~~10.~~ "Height" means the distance measured vertically from grade to the highest point or portion of the object to be measured or height limited.

"Illegal sign" means a sign that was installed without proper City or other required approvals and/or permits at the time it was initially installed, and which has not been legalized by later action. This definition also includes a sign that was erected in conformance with all applicable laws, rules, and regulations in effect at the time of installation, but which was subsequently altered so as to be out of compliance with applicable law, including the terms of permits which authorized construction. All signs described in Business and Professions Code section 5499.1 and defined therein as an "illegal on-premises advertising display" are also within this definition.

~~11.~~ "Illuminated sign" means a sign whose message is made readable by internal or external lights or light emitting diodes (or functionally equivalent technology), typically (but not necessarily) during hours of darkness.

~~12.~~ "Install" or "installation" includes but is not limited to the act by which a sign is constructed or placed on land or a structure, or the act of attaching, painting,

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printing, producing, or reproducing, or using any other method or process by which a visual message is presented or placed upon a surface.

"Legal nonconforming sign" means a sign that complied with all applicable laws, rules and policies at the time of installation, and which has not been expanded beyond the originally applicable rules, but which does not conform to currently applicable law and rules.

~~13. "Message" means any form of visual communication presented on any type of media. It is not material whether the communication has any logical, practical, literary, or artistic significance or not. It includes any form or combination of letters, graphics, symbols or designs. The term is not intended to include mono-color paint applied to the exterior, trim, fascia, or other architectural elements of a building for protection against the elements.~~

"Mobile billboard" means a sign on a wheeled conveyance (whether motorized or not) or water craft, including those which carry, convey, pull or transport any sign used for general advertising for hire. The term does not include vehicles and vessels that display identification information concerning the usual business or regular work of the vehicle/vessel owner (not including general advertising).

"Motor fuel price sign" means a sign of the type described and required by Business and Professions Code section 13530 *et seq.*

~~14. "Monument sign" means a low-profile freestanding sign supported by a structural base or other solid structural features other than support poles and may contain signage on more than one side.~~

~~15. "Mural" or "mural-type sign" means a sign painted on the exterior wall of a building consisting of graphics or images, either alone or in combination with letters. Murals or mural-type signs, including those described as artistic murals, shall be treated as any other sign subject to the signage area requirements.~~

"Non-commercial message" means a constitutionally protected message that addresses topics of public concern or controversy such as, by way of example and not limitation, politics, religion, philosophy, science, art or social commentary.

~~16. "Off-site" or "off-site sign" refers to a sign or banner that promotes or advertises goods, services or activities located or offered on a business premises or parcel that is separate from the parcel where the sign is located, even if the two sites or parcels are contiguous to each other.~~ means a sign that advertises commercial products, accommodations, services or activities not provided in or on the property or

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premises upon which it is located. The on-site/off-site distinction does not apply to non-commercial messages.

~~17. "On-site" or "on-site sign" refers to a sign or banner that promotes or advertises goods, services, or activity located or offered on the business premises or parcel of property where the sign is located.~~ means a sign that advertises the commercial business, accommodation, services or activities provided on the premises on which the sign is located, or is expected to be provided in the near future, such as "coming soon" movie posters. In the case of developments subject to a master sign program, all establishments subject to the program are considered on-site whenever located within any location subject to the program. All establishments within a shopping center are on-site as to any sign(s) also located within that shopping center. The on-site/off-site distinction does not apply to non-commercial messages.

18. "Outdoors" means a location on undeveloped property or to the exterior of a building or structure.

~~19. "Outdoor advertising" refers to the placement of a message on signs or banners located outdoors, or located indoors in a manner such that the message is visible from the exterior of a building or structure.~~

20. "Parcels" or "property" or similar references or descriptions shall refer to parcels defined or delineated by assessor parcel numbers maintained by the County tax assessor or as defined in the glossary of this Code.

21. "Pennant" is a banner with three sides, or swallow-tail form.

22. "Permanent sign" means a sign that is solidly attached to a building, structure, or the ground by means of mounting brackets, bolts, welds, or other combination of attachment methods, thereby rendering the sign non-moveable or difficult to reposition without the use of machinery, cutting devices, or mechanical devices. See also "temporary sign."

23. "Pole sign" means a permanently mounted, freestanding sign which is supported above the ground by one or more uprights, braces, poles, or other similar structural components.

24. "Projecting sign" is any sign which projects beyond a building face and uses a wall or vertical element of a building as its main source of support. A projecting sign includes a double-faced sign that is installed more or less perpendicular to the face of a building so as to allow a message to be viewable from either side. A projecting sign does not include signs that are installed along the face of a building and that are completely attached to the face of a building.

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“Real Estate Sign” means any sign whose message concerns a proposed economic transaction involving real estate, including all signs described in Civil Code 713.

“Residential Sign” means a sign displayed on a legal, individual dwelling unit. The term does not apply to management offices of apartment complexes or mobile home parks, or to hotels, motels, inns or other places of transient occupancy.

“Responsible Party” means the permittee, property owner, or owner or person in charge of the sign.

~~25. “Rooftop or roof-mounted sign” means a sign that extends above the ridge line of the roof of a building or a sign attached to any portion of the roof of a building.~~

“Safety Codes” refers to the Building, Electrical, Plumbing, Grading and similar codes which ensure safe construction.

~~26. “Shopping center” shall mean a group of commercial buildings as defined in the Glossary.~~

~~27. “Sign” as used in this chapter, shall generically refer to any medium through which a message is conveyed which is placed outdoors in any zone or is visible to the exterior of a commercial or industrial building or structure. It shall include a banner and any of the following:~~

~~a. Any advertising display defined in Section 9.32.010;~~

~~b. Any message painted, printed, or otherwise produced or affixed on or to;~~

~~c. The exterior of a building or structure;~~

~~d. A rigid or semi-rigid material or surface, such as wood, metal, or plastic, attached to a building, structure, or pole or which is itself free-standing; or~~

~~e. An inflatable balloon or other three-dimensional object that is tethered or fastened to a building, structure, pole, or the ground.~~

“Sign” as used in this Chapter, generally means the public display of any visually communicative image placed on public display and visible from the exterior of any portion of the public right of way or place open to passage by the public.

Notwithstanding the generality of the foregoing, the term “sign” does not include:

1. Aerial banners towed behind aircraft;
2. Architectural features – decorative or architectural features of buildings (not including lettering, trademarks or moving parts), which do not perform

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- a communicative function (examples include color stripes around an office building or retail store);
3. Automated Teller Machines (ATM's), when not used for general advertising;
 4. Cornerstones and foundation stones;
 5. The legal use of fireworks, candles and artificial lighting not otherwise regulated by this chapter;
 6. Grave markers, gravestones, headstones, mausoleums, shrines, and other markers of the deceased;
 7. Historical monuments, plaques and tablets;
 8. Holiday and cultural observance decorations displayed in season, including inflatable objects, on private residential property which are on display for not more than 45 calendar days per year (cumulative, per dwelling unit) and which do not include commercial messages;
 9. Inflatable gymnasiums associated with legal residential uses – inflatable, temporary, moveable, gymnasium devices commonly used for children's birthday parties, and similar devices (also called "party jumps" or "bounce houses");
 10. Interior graphics – visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof;
 11. Manufacturers' marks – marks on tangible products, which identify the maker, seller, provider or product, and which customarily remain attached to the product even after sale;
 12. Mass transit graphics – graphic images mounted on duly licensed and authorized mass transit vehicles that legally pass through the city;
 13. News racks, newspaper vending devices and newsstands;
 14. Personal appearance: makeup, masks, wigs, costumes, jewelry, apparel and the like, unless it constitutes a commercial mascot;
 15. Safety warnings on motorized or electrified equipment;

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16. Searchlights used as part of a search and rescue or other emergency service operation (this exclusion does not apply to searchlights used as attention attracting devices for commercial or special events);
17. Shopping carts, golf carts, horse drawn carriages, and similar devices (any motorized vehicle which may be legally operated upon a public right-of-way is not within this exclusion);
18. Symbols embedded in architecture – symbols of non-commercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal, by way of example and not limitation, such symbols include stained glass windows on churches, carved or bas relief doors or walls, bells and religious statuary;
19. Vehicle and vessel insignia – on street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel.
20. Vending machines, automated intake devices and product dispensing devices which do not display off-site commercial messages or general advertising messages;
21. Window displays – the display of merchandise in a store window, when such merchandise is immediately available for purchase.

“Signage” is the collective noun for all signs on a given parcel, lot or location, or within a stated classification;

“Sign area” means that portion of a sign which consists of visually communicative copy, including the advertising surface and any framing, trim, or molding but not including the supporting structure, measured one side only, provided that the angle between faces for two-sided signs does not exceed 30 degrees.

“Sign copy” means the visually communicative elements, including but not limited to words, letters, numbers, designs, figures or other symbolic presentation incorporated into a sign with the purpose of attracting attention to the subject matter or message.

“Sign face” means the portion of a sign that is available for displaying sign copy, together with any frame, color, panel, ornamental molding, or condition which forms an integral part of the sign copy and which is used to differentiate such sign copy from any wall or background against which it may be placed. Those portions of the

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supports, uprights or base of a sign that do not function as a sign shall not be considered as part of a sign face.

“Sign height” means the vertical distance of a sign from the uppermost point used in measuring the sign area to the ground immediately below such point or to the level of the upper surface of the nearest curb of a street or alley (other than a structurally elevated roadway), whichever measurement permits the greater elevation of the sign.

“Special Event” means an activity or event that occurs rarely or irregularly, is open to the public, and is of a duration not exceeding 7 days. Any event that is subject to a Temporary Use Permit will be considered within this definition. By way of example and not limitation, special events include circus or carnival runs, 4th of July Festival, Easter Egg Hunt, Relay for Life, Christmas Tree Lighting, parking lot sales at shopping centers and malls, holiday celebrations, Auto Heritage Day, etc.

“Temporary message” means a message that pertains exclusively to an event which occurs on, or ends on, a particular day.

~~28. “Temporary sign” means a sign that is easily moveable and which is not attached to a building, structure, or the ground in such a manner as to be rendered a permanent sign.~~ means a sign that is constructed of lightweight or flimsy material, and is easily installed and removed using ordinary hand tools. Any sign that qualifies as a “structure” under the Building Code is not within this definition.

“Visibility triangle” means at the intersection of any two or more streets, that area extending horizontally 50 feet from the corner of the intersection and vertically, from a height of three feet to a height of eight feet.

~~29. “Visible to the exterior”~~ refers to the placement of a sign or banner within the interior first eight feet of a commercial or industrial building or structure in such a manner so that it or its message is readily visible on an immediately contiguous public right-of-way, parking lot, or parcel. To be visible does not require that the message be understandable or readable.

“Wall sign” means a sign that is attached to, erected against or painted on the wall of a building or other vertical structure.

“Warning sign” means a sign that is posted to provide notice of danger, such as “Beware of Dog,” “Railroad Crossing,” “Danger High Voltage” or noting the location of underground utilities.

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“Window sign” means a sign that is painted or mounted on a window pane, or that is mounted within five feet of a window and oriented for viewing by exterior passersby.

“Zone” refers both to the zone classifications given in 18.20.020, and to the specific areas or districts to which a given zoning classification applies.

18.47.050- Design and maintenance. (Incorporated into new section 18.47.150 – SAFETY, MAINTENANCE, AND REFACING)

~~A—Uniform Building, Electrical and Mechanical Code Compliance Required. No sign shall be installed that does not comply with the applicable Uniform Building, Mechanical and Electrical Codes adopted by the city. Permits for installation shall be obtained, when required, prior to any installation, from the director of building and safety.~~

18.47.150 – SAFETY, MAINTENANCE, AND REFACING

A. Safety Codes – Compliance Required

All signs must comply with the applicable Uniform Building, Mechanical, Electrical Codes and other safety codes adopted by the City. Permits for installation shall be obtained, when required, prior to any installation, from the director of building and safety.

B. Maintenance.

All signs and their supporting structures and components shall be maintained in a state of safe condition and good repair. Signs shall be “face washed” at least once a year. Electrically energized components must bear the seal of approval of an approved testing laboratory. Broken faces and burned-out lamps, bulbs, or tubes must be replaced within thirty days from the date of notification from the city.

C. Refacing

Changing the copy or refacing of a sign shall require a sign reface permit. No consideration of message content shall occur. The purpose is to maintain an inventory of signs.

18.47.060- Permanent signs permitted in all zones. (No substantive changes -- now section 18.47.080)

~~The following signs shall be permitted in all zones. Site plan review shall not be required.~~

~~A—Permanent Signs.~~

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~~1.— Size. The display on any parcel of any single sign, flag, or banner that is less than six square feet in area is permitted, except when a home occupation permit has been issued for a residential parcel, this exemption shall not apply, and that property shall be subject to all the requirements of this chapter.~~

~~2.— Restrictions. No signs shall be placed in the public right-of-way nor shall they obstruct the free flow of traffic.~~

~~B.— Directional Signs. Directional signs which do not exceed a total of three square feet in size per sign and total area combined does not exceed nine square feet.~~

~~C.— Freestanding or Monument Signs. A maximum of two freestanding or monument signs not to exceed a total of one hundred square feet, are permitted for single-family subdivisions, multi-family developments, or mobile home parks.~~

~~D.— Official Flags. Up to three official flags of the United States, the State of California, or other states of the nation, counties, municipalities, and official flags of sovereign nations. Proposals for more than three flags require a sign permit and site plan review. If flags are to be displayed on vertical flagpoles, these poles shall be permanently installed with appropriate building permits. Flags of nationally or internationally recognized organizations and corporate or business flags are only permitted if displayed in conjunction with the United States flag. The Flag Code of the United States shall be observed at all times.~~

18.47.070- Large permanent signs in commercial, industrial, mixed-use and institutional zones. (No substantive changes – now part of section 18.47.080)

~~A.— Specifications and Restrictions. Except in shopping centers, large permanent signs (those exceeding twenty five square feet in area) may be installed on or along the face of a building in commercial, and commercial uses in a mixed-use zone, industrial or institutional zones, subject to the following specifications and restrictions:~~

~~1.— Signs shall be limited to one sign per business premise per frontage along a street, freeway, or parking lot.~~

~~2.— Sign area on the primary frontage shall not exceed thirty percent of the area of the building face or four square feet of sign for each linear foot of building face along that frontage, whichever is greater.~~

~~3.— Sign area on a secondary frontage shall not exceed fifteen percent of the area of the building face or two square feet per linear foot of secondary frontage, whichever is greater.~~

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~~4.—The sign face shall not be located, such as by a cabinet, deep lettering, or architectural feature, more than eighteen inches from a building face unless an exception is approved pursuant to site plan review.~~

18.47.080- Large permanent signs in shopping centers. (No substantive changes – now part of section 18.47.080)

~~Large permanent signs for businesses within a shopping center shall be limited to one per business premises per frontage on a common walkway, parking lot, driveway, alleyway, street, or freeway. The size and placement of these signs shall conform with the standards specified by Section 18.47.070 as well as standards that may be applied through any required city council or planning commission approval, including but not limited to a conditional use permit, planned development permit, specific plan, or variance.~~

18.47.090- Small permanent signs in commercial, industrial, institutional, mixed-use, and multi-family zones. (No substantive changes – now part of section 18.47.080)

~~A.—Permanent Signs Less than Twenty-Five Square Feet. Any permanent sign measuring less than 25 square feet and not described elsewhere in this chapter shall be considered a small permanent sign that shall only be permitted in commercial, industrial, and institutional zones and commercial uses in a mixed-use zone as follows:~~

~~1.—Small permanent signs shall be permitted only in windows or along the face of a building.~~

~~2.—The total area of all small permanent signs and any allowable small temporary signs combined shall not exceed ten percent of the wall or elevation on which the sign is placed.~~

18.47.100- Pole-mounted or freestanding signs in commercial, industrial, mixed-use, and Institutional zones. (changes to include height restrictions for each zone – now part of section 18.47.080)

~~A.—Requirements. Pole-mounted or freestanding signs are permitted in the commercial and industrial zones and commercial uses in a mixed-use zone, subject to the following requirements:~~

~~1.—Pole signs or freestanding signs shall be limited to one sign per frontage on street, freeway, or parking lot, and may include a cluster sign identifying individual businesses on the parcel(s).~~

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~~2.—The total area of any sign installed along the primary frontage shall not exceed four square feet per lineal foot of property on the primary frontage.~~

~~3.—The total area of any sign installed along each secondary frontage shall not exceed two square feet per lineal foot of property on the secondary frontage.~~

~~4.—Sign structures shall not be placed within the required setback area, except that projecting signs may protrude into or overhang a maximum distance of one-half of the setback.~~

18.47.080 PERMANENT SIGNS

Unless specifically exempted herein, all permanent signs require a sign permit. The following three types of signs are categorically exempt from this sign permit requirement: 1) signs installed and displayed pursuant to court order, statutory requirement or authorization; 2) signs on residential properties; 3) signs posted by any governmental entity in the execution of its official duties.

A. SIGNS LESS THAN SIX SQUARE FEET

The display on any non-residential parcel of any single sign or banner that is less than six square feet in area is allowed and is exempt from obtaining a sign permit.

B. DIRECTIONAL SIGNS

Directional signs which do not exceed a total of three square feet in size per sign, and total area combined does not exceed nine square feet per parcel, are allowed and are exempt from obtaining a sign permit.

C. FREESTANDING SIGNS

A maximum of two freestanding or monument signs, not to exceed a total of one hundred square feet, are allowed, subject to a sign permit, for single-family subdivisions, multi-family developments, and mobile home parks.

D. FLAGS

On residential land uses, a total of 24 square feet of flag area may be displayed at any and all times; on non-residential land uses, a total of 40 square feet of flag area may be displayed at any and all times. The number of flag poles is limited to cumulative linear footage as follows: 25 feet on residential lots and 35 feet on all other parcels or lots. Flag poles intended for permanent use are subject to appropriate building permits.

E. PERMANENT SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE AND INSTITUTIONAL ZONES

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Except in shopping centers (where special rules, stated in the next subsection, apply) and public assembly uses (to which special rules, stated below, apply), permanent signs may be installed on or along the face of a building in commercial zones and commercial uses in a mixed-use zone, and industrial or institutional zones, subject to the following:

1. **Signs exceeding twenty five square feet in display area:**
 - a. **Maximum number: one sign per establishment premise per frontage along a street, freeway, or parking lot;**
 - b. **Sign area on the primary frontage shall not exceed 30 percent of the area of the building face or four square feet of sign for each linear foot of building face along that frontage, whichever is greater;**
 - c. **Sign area on a secondary frontage shall not exceed 15 percent of the area of the building face or two square feet per linear foot of secondary frontage, whichever is greater;**
 - d. **The sign face shall not be located, such as by a cabinet, deep lettering, or architectural feature, more than 18 inches from a building face.**

2. **Permanent signs with 25 square feet or less of display area in Commercial, Industrial, Institutional, Mixed-Use and Multi-Family Zones:**
 - a. **Location: only in windows or along the face of a building;**
 - b. **Maximum total cumulative area: not exceeding ten percent of the wall or elevation on which the sign is placed;**

F. PERMANENT SIGNS IN SHOPPING CENTERS

Permanent signs for establishments within a shopping center shall be limited to one per establishment premises per frontage on a common walkway, parking lot, driveway, alleyway, street, or freeway. The size and placement of these signs shall conform with the standards specified for Permanent Signs in Commercial, Industrial, Mixed-Use and Institutional Zones (Subsection 18.47.080(E)) as well as standards that may be applied through any required City Council or Planning Commission approval, including but not limited to a conditional use permit, planned development permit, specific plan, or variance.

G. PUBLIC ASSEMBLY USES.

On property used for public assembly, with periodically changing programs, the following signs may be installed and displayed, subject to a sign permit:

1. **Wall sign: one wall mounted sign not to exceed twenty square feet in area per street frontage or parking lot frontage; and**

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2. One freestanding changeable copy directory sign not to exceed six feet in height and twelve square feet in area per street frontage or parking lot frontage shall be allowed;
3. Provided, however, that the signs shall be architecturally related to the structure to which they are appurtenant;
4. Number Limit: No more than two wall-mounted signs plus no more than two freestanding signs.

H. POLE OR MONUMENT SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE, AND INSTITUTIONAL ZONES

Pole-mounted or freestanding signs are allowed subject to a sign permit in the commercial and industrial zones and non-residential uses in a mixed-use zone, subject to:

1. Number Limit: Pole signs or monument signs shall be limited to one sign per frontage on street, freeway, or parking lot, and may include a cluster sign identifying individual businesses on the parcel(s);
2. Display Area Limit:
 - a. The total area of any sign installed along the primary frontage shall not exceed four square feet per lineal foot of property on the primary frontage;
 - b. The total area of any sign installed along each secondary frontage shall not exceed two square feet per lineal foot of property on the secondary frontage;
3. Location: Sign structures shall not be placed within the required setback area applicable to that zone, except that projecting signs may protrude into or overhang a maximum distance of one-half of the setback.
4. Height Limit: Pole signs may be 1½ feet high for each 1-foot away from the centerline of the street on which the sign is located, but in no case exceeding:
 - a. MXC 1 & MXD 1 zones - 50 feet;
 - b. MXC 2 & MXD 2 zones - 50 feet. Signs exceeding 50 feet may be allowed if located near a freeway and approved by the Planning Commission as compatible with the other uses near the site;
 - c. CA & CS zones - 50 feet. Signs exceeding 50 feet may be allowed, up to a maximum of 75 feet, if located near a

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- freeway and approved by the Planning Commission as compatible with the other uses near the site;
- d. Industrial zones - 70 feet.
- e. Institutional zones – 50 feet.

I. ROTATING SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES

Signs that rotate are restricted to no more than eight revolutions per minute. Rotating signs are allowable only in commercial and industrial zones.

J. PROJECTING SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE, AND INSTITUTIONAL ZONES

Projecting signs may be installed and displayed, subject to a sign permit, in all commercial, industrial, mixed-use, and institutional zones, subject to:

1. Projecting signs shall not project over any public right-of-way, including streets or alleys, except as provided in Subsection D, below;
2. The maximum height of any projecting sign shall be 12 feet, and may project above any eave or parapet of less than 12 feet in height, but may not project inward over any such eave or parapet.
3. Maximum display area for all sides: 32 square feet.
4. Projecting signs may project over street parkways and required setback areas a maximum of one-half of the street parkway or setback width. For the purpose of this section, "street parkway" is defined as that part of the public street right-of-way lying between the front property line and the edge of the roadway.
5. Number limit: No more than one projecting sign shall be placed on each street frontage per business premises.
6. Qualification: A projecting sign shall be permitted only in lieu of a freestanding or marquee sign, and may not be utilized in addition to a freestanding or marquee sign.
7. Design: Projecting signs shall be supported so as to appear to be an architectural and integral part of the building. The sign shall be free of any extra bracing, angle iron, guy wires, or cables.

K. DIGITAL DISPLAY SIGNS

Signs using digital display are allowed in the following zones: industrial, commercial, and mixed-use districts, subject to a sign permit, and subject to:

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1. **Maximum height:** the same rule that would apply to the same sign if it were not using digital display;
2. **Minimum requirement:** digital display must be part of a master sign program;
3. **Maximum display area:**
 - a. For properties that front on arterial roadways, the digital display portion of the sign structure shall not exceed 25% of the allowable display area;
 - b. For properties that front on highways, the digital display portion of a sign shall not exceed 50% of the allowable display area;
 - c. **Maximum Number:** No more than one sign using digital display may be permitted on a site. The electronic message display may be single-faced or double-faced;
 - d. Signs using digital display may not project moving images or images that appear to move; each still image must be on display a minimum of 8 seconds; transitions between still images shall not exceed one second;
 - e. **Light Intensity:** each sign using digital display shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The nighttime intensity shall be limited to 0.3 foot-candles (over ambient levels) as measured at a preset distance as established by the Lewin Report as prepared for the Outdoor Advertising Association of America (OAAA). The city may modify or further restrict the intensity of any DAD display should the lighting create a distraction to drivers or an adverse effect on nearby residential property;
 - f. **Operational Hours:** the digital display portion of any sign shall not be operated between the hours of 10:00 p.m. and 7:00 a.m.;
 - g. Signs using digital display shall be shielded or the light intensity reduced as necessary to prevent annoying glare impacting surrounding properties;
 - h. All new signs using digital display, which are not attached to a building, shall be mounted on one support column only;
 - i. Signs using digital display may be located on the wall of a building, provided the sign does not obscure any of the building's windows, architectural features, or other architectural details;
 - j. No sign using digital display may be placed within one mile of another sign using digital display on the same side of a

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- highway. No sign using digital display may be placed within 1000' of another digital display on any street;
- k. Signs using digital display are limited to noncommercial messages and onsite commercial messages; such signs may not be used as billboards or for purposes of general advertising for hire.

18.47.110- Roof mounted signs. (No substantive changes – now part of section 18.47.080)

~~Roof-mounted signs are not permitted.~~

18.47.120- Revolving signs in commercial and industrial zones. (No substantive changes – now part of section 18.47.080)

~~Signs that revolve shall be restricted to those that rotate three hundred sixty degrees and no more than eight revolutions per minute. Revolving signs shall be permitted only in commercial and industrial zones.~~

18.47.130- Temporary signs permitted in all zones. (changes as noted below – now section 18.47.090)

18.47.090 TEMPORARY SIGNS

All temporary signs must have attached to them contact information for the persons and/or entities placing the signs on public display. Such information must include, at a minimum, the name of the person(s) and/or entities, and currently valid contact information such as phone number, mailing address, or email address. The purpose of this requirement is to give the City a way to contact persons who exceeded the time limit or other rules regarding display of certain signs, and give them an opportunity to cure the violation. The contact information must be in an easily readable, common typeface, such as Times New Roman, Garamond, Helvetica, Arial, or similar. Type size must be at least ten point.

A. ~~Temporary Signs on~~ Construction Sites Signs

Temporary signs ~~on construction sites having the following specifications shall be permitted in all zones:~~ may be installed and displayed on construction sites without permit, subject to:

1. The maximum total area for signs at single-family residential construction projects shall be ~~twenty~~ 20 square feet per street frontage.
2. The maximum area of signage at other construction projects shall be ~~fifty~~ 50 square feet per street frontage.

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3. For any request for square-footage exceeding the limits set forth in subsections A.1 and A.2, a temporary use permit is required, the granting or denial of which shall be based solely on objective criteria such as time, location, and size.
4. All signs must be removed prior to and as a condition of the final inspection and approval of the project.

~~B. Temporary Signs on For Sale or For Lease Property. A maximum of two temporary signs on currently for sale or for lease property may be installed on developed or undeveloped property in all zones, with the following requirements and specifications for the sign:~~

- ~~1. The maximum area of signage allowed by this section per parcel per street frontage in commercial, industrial, mixed-use, multi-family, or institutional zones shall be fifty square feet.~~
- ~~2. The maximum area of signage allowed by this section per parcel per frontage in single-family residential zones is six square feet. (moved to "PERMANENT SIGNS")~~
- ~~3. These signs shall not be lighted.~~
- ~~4. Signs shall be removed within ten days following the lease or sale of the premises on which the sign is displayed.~~

~~C. Temporary Off-Site Signs Prohibited. Temporary off-site signs are prohibited in all zones, unless otherwise provided herein and by state law. (included with all offsite signs)~~

~~D. Temporary Signs For Events. Additional temporary signs erected due to an event are permitted as follows:~~

- ~~1. Commercial/Industrial/Multi-Family/Mixed-Use/Institutional Zones.
 - ~~a. One or more temporary signs, each of which is thirty-two square feet or less in area, shall be permitted per parcel;~~
 - ~~b. Temporary signs, except flags and banners, shall not be fastened directly to the exterior wall or face of any building. Such signs may be displayed in windows or on display boards, provided the combined total area of all signs does not exceed ten percent of the area of the building face upon which the signs are mounted. (See Section 18.47.120 for restrictions on flags and banners.)~~~~

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~~e.—Such signage is permitted on a temporary basis as defined hereinafter, in addition to other sign allotment per site.~~

~~2.—Single-Family Residential Zones.~~

~~a.—One or more temporary signs, each of which is six square feet or less in area, shall be permitted per parcel.~~

~~b.—A parcel that is a corner lot can also have up to two signs greater than six square feet or less in area, but less than or equal to sixteen square feet in area per parcel.~~

~~c.—Permission of the property owner or occupant where the sign is placed shall be required.~~

~~d.—No temporary signs are permitted in the public right-of-way.~~

~~e.—Removal. If the signage was erected for an event, such signage shall be removed within ten days after the event.~~

B. Temporary Signs Regarding Real Property Offered For Sale or Lease

Temporary signs may be installed and displayed on real property that is currently offered for sale or lease, or otherwise pursuant to Civil Code 713, without a sign permit, subject to:

1. A maximum of two temporary signs may be installed on developed or undeveloped property, with the following requirements and specifications for the sign:
 - a. The maximum area of signage allowed by this section per parcel per street frontage in commercial, industrial, mixed-use, multi-family, or institutional zones shall be 50 square feet;
 - b. These signs shall not be specially illuminated;
 - c. Such signs shall be removed within ten days following the lease or sale of the premises on which the sign is displayed.

C. Temporary Signs For Special Events

Temporary signs may be installed and displayed when related to and for the duration of thirty (30) days prior and five (5) days after a special event, subject to:

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1. **Special Event Signs in Commercial, Industrial, Multi-family, Mixed-use and Institutional zones.**
 - a. **Temporary signs which do not cumulatively exceed 32 square feet in display area per street frontage, are allowed subject to a special event permit;**
 - b. **Temporary signs, except flags and banners, shall not be fastened directly to the exterior wall or face of any building. Temporary signs may be displayed in windows or on display boards, provided the combined total area of all signs does not exceed ten percent of the area of the building face upon which the signs are mounted. (See Section 18.47.120 for restrictions on flags and banners.)**

D. Temporary Signs in Residential Zones

Refer to Section 18.47.060 for signs in residential zones.

18.47.140- Projecting signs in commercial, industrial, mixed-use, and institutional zones. (now part of 18.47.080)

~~A.—Conditions. A projecting sign may be permitted in all commercial, industrial, mixed-use, and institutional zones, subject to the following conditions:~~

- ~~1.—Projecting signs shall not project over any public right-of-way, including streets or alleys, except as provided in subsection (D) below.~~
- ~~2.—The maximum height of projecting signs shall be twelve feet, and may project above any eave or parapet of less than twelve feet in height, but may not project inward over any such eave or parapet.~~
- ~~3.—The maximum area of a projecting sign shall be thirty-two square feet.~~
- ~~4.—Projecting signs may project over street parkways and required setback areas a maximum of one-half of the street parkway or setback width. For the purpose of this section, "street parkway" is defined as that part of the public street right-of-way lying between the front property line and the edge of the roadway.~~
- ~~5.—No more than one projecting sign shall be placed on each street frontage per business premises.~~

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~~6. A projecting sign shall be permitted only in lieu of a freestanding or marquee sign, and may not be utilized in addition to a freestanding or marquee sign.~~

~~7. Projecting signs shall be supported so as to appear to be an architectural and integral part of the building. The sign shall be free of any extra bracing, angle iron, guy wires, or cables.~~

18.47.150- Vehicle signs. (now section 18.47.100)

~~A. Permitted Vehicle Signs.~~

~~1. Advertising signs on buses and taxis.~~

~~2. Signs on automobiles and trucks that are painted on or attached flat against the vehicle to identify or advertise the associated business, provided that the vehicle is primarily used for the business and not parked on public streets.~~

18.47.100 VEHICLE SIGNS

Buses and taxis that legally traverse the public streets may display advertising; however, mobile billboards are prohibited on public streets and parking spaces.

18.47.160- Public assembly use signs. (no substantive changes - now part of section 18.47.080)

~~On property used for public assembly, one wall-mounted sign not to exceed twenty square feet in area per street frontage or parking lot frontage, and one freestanding changeable copy directory sign not to exceed six feet in height and twenty square feet in area per street frontage or parking lot frontage shall be allowed; provided, however, that the signs shall be architecturally related to the structure to which they are appurtenant. No more than two wall-mounted signs plus no more than two freestanding signs shall be permitted.~~

18.47.170- Mural-type signs in commercial and mixed-use zones. (changed to allow sign based on normal signage area requirements – now part of section 18.47.110)

18.47.110 MURALS

Mural-type signs not ~~exceeding one hundred ten square feet~~ in area shall be allowed in commercial zones and for commercial uses in mixed-use zones in lieu of a fixed sign.

18.47.180- Digital advertising display (dad) signs. (several changes related to size and location -- now part of section 18.47.080 "PERMANENT SIGNS", subsection K).

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~~A.—Purpose. The use of digital advertising display technology (also known as a message center display or electronic reader board) for on-premises advertising signage can be an enhancement to the city as a whole, provided that sufficient standards are established to regulate daytime/nighttime illumination, prohibit movement, flashing, and other animation that may distract motorists, and allow for reasonable height and size requirements that balance the need for visibility with overall city aesthetic concerns; and~~

~~The need for establishing design and operational standards for digital advertising displays for digital advertising signage will ensure that they do not create adverse effects on adjacent uses, for motorists, or conflict with Amber light or other digital emergency response signage; and~~

~~The Federal Highway Administration in a 2007 ruling stated that digital billboards are permissible adjacent to and visible from federal highways.~~

~~B.—Applicability. Digital advertising display signs are allowed in commercial, mixed-use, and industrial zoned areas along highways and arterial roadways (as defined by the General Plan Circulation Element) with approval of a sign permit provided all the conditions identified below are met.~~

~~C.—Requirements.~~

~~1.—The maximum height of the sign structure containing the digital advertising display shall be subject to the same height restrictions as contained in Section 18.47.260 of the Land Use Code.~~

~~2.—For properties that front on arterial roadways, the electronic message display component of the sign structure shall not exceed eighty square feet in area per sign face. (restricted to 25%)~~

~~3.—For properties that front on highways, the electronic message display component of the sign structure shall not exceed two hundred fifty square feet in area per sign face. (restricted to 50%)~~

~~4.—No more than one digital advertising display sign shall be permitted on a site. The electronic message display may be single-faced or double-faced.~~

~~5.—The electronic message display shall be an electronic LED (light-emitting diode) screen.~~

~~6.—The pixel pitch of the LED electronic message display shall be no greater than twenty-five mm; twenty mm or less is preferred, especially for arterial roadways.~~

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- ~~7.— Each DAD sign shall be provided with encapsulated LED's for weather protection.~~
- ~~8.— The DAD may be programmed to allow changeable messages, provided that any image shall be displayed for a minimum of eight seconds, and transitions between slides shall not exceed one second. Fading in or out, or scrolling of text shall be permitted as transitions.~~
- ~~9.— Each DAD shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The nighttime intensity shall be limited to 0.3 foot-candles (over ambient levels) as measured at a preset distance as established by the Lewin Report as prepared for the Outdoor Advertising Association of America (OAAA). The city may modify or further restrict the intensity of any DAD display should the lighting create a distraction to drivers or an adverse effect on nearby residential property.~~
- ~~10.— The electronic message display shall not be operated between the hours of midnight and six a.m. (now 10:00 p.m. to 7:00 a.m.)~~
- ~~11.— The electronic message display shall not result in unacceptable light intensity and glare impacting surrounding property.~~
- ~~12.— All new digital advertising display signs not attached to a building shall be mounted on one support column only.~~
- ~~13.— Digital advertising display signs are permitted to be located on the wall of a building provided the sign does not obscure any of the building's windows, architectural features, or other architectural details.~~
- ~~14.— No digital advertising display sign may be placed within one mile of another DAD on the same side of a highway. No more than two DAD signs are permitted per freeway.~~
- ~~15.— Digital advertising display signs are limited to on premise signs only. No digital display signs may be placed within one thousand feet of another DAD sign on the same side of an arterial roadway.~~
- ~~16.— An existing billboard sign may be refurbished with a digital advertising display sign provided it does not exceed the area of the existing billboard and in all other respects meets the requirements of this chapter.~~
- ~~17.— Cabinetry shall include solid welds and voltage protection.~~

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~~18.—Exterior cabinetry consisting of sheet metal or fabricated metal construction is not permitted.~~

~~19.—The electronic message display shall be maintained in good operating condition and external appearance at all times.~~

~~20.—Solar powered DAD signs are encouraged.~~

~~21.—A DAD shall be subject to all other sign face size restrictions as contained in this chapter.~~

18.47.190- Flags, banners, and pennants. (minor changes - now section 18.47.120)

18.47.120 FLAGS, BANNERS, AND PENNANTS

~~A.—Regulations.~~

~~1. A. Permit Required. All banners require the approval of the planning division. In order to obtain approval, see application and drawings required at the city planning division.~~

~~2. Minimum Standards. Flags and banners may be displayed on automobile sales lots without time limitation or site plan review provided that:~~

B. Auto Sales Lots

These provisions apply to all motor vehicle sales. Flags, banners and pennants may be displayed on automobile sales lots without time limitation or site plan review, provided that:

- ~~a.~~ **1. The displays are properly maintained;**
- ~~b.~~ **2. Displays are limited to the perimeter of the lot;**
- ~~c.~~ **3. Displays do not exceed a height of twenty-five feet above the ground;**
- ~~d.~~ **4. Displays may not be used in place of a permanent sign.**

~~3.~~ **C. Other Commercial and Industrial Uses**

Flags, banners, and pennants may be displayed on other commercial and industrial uses for a cumulative period of sixty days within each calendar year. The time limit commences when a banner permit is issued by the planning director. The sixty-day period may be divided into two occasions per calendar

SIGN ORDINANCE CHANGES

year, provided the total display time does not exceed sixty days per calendar year. A banner permit fee and an administrative fee in an amount representing the anticipated city enforcement costs in causing the applicant to remove flags or banners shall be paid to the city treasurer at the time of application for site plan review. The administrative fee shall be refunded upon the verified removal of the flag or banner by the specified deadline.

4. ~~D.~~ The following shall apply to all displays of flags, banners, and pennants, except for displays on auto sales lots:
- ~~a.~~ 1. Must be removed by the owner or occupant within fifteen days after a determination by the city manager or his/her designee that the display is improperly maintained or the flag or banner is tattered or worn.
 - ~~b.~~ 2. Shall not be larger than forty square feet. (cumulative of all visible copy/image areas);
 - ~~c.~~ 3. Shall not be displayed in lieu of a permanent sign.
 - ~~d.~~ 4. Shall not be placed on a roof, placed in required yard areas, or landscaped areas.
 - ~~e.~~ 5. Must be compatible with the primary building's appearance.
 - ~~f.~~ 6. Violation of the time limits shall render the site ineligible for issuance of a permit for display of a banner for a period of one year from the date that the violation is abated.
 - ~~g.~~ 7. The restrictions of this section shall also apply to signs and banners located within the first eight feet of the interior of commercial or industrial premises when such sign or banner is visible to the exterior.

18.47.200- Signs prohibited in all zones. (Incorporated into new section 18.47.070 – PROHIBITED SIGNS)

~~A. Prohibited Signs. Notwithstanding Section 18.47.030 the following signs are strictly prohibited in all zones:~~

~~1. Signs that obstruct any window, door, or opening used or required as a means of regular ingress and egress, legal light and ventilation, as a fire escape or other emergency access or escape.~~

~~2. Signs placed on public property or within the public street right-of-way.~~

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~~3.— Signs placed on property without permission of the property owner or occupant.~~

~~4.— Signs on fences.~~

~~5.— Except as provided in otherwise in this chapter, signs on vacant or unimproved land.~~

~~6.— Any sign whose intensity of illumination or size, shape, or location interferes with the safe operation of a vehicle or creates distraction to the operator of a motor vehicle on adjoining public streets.~~

~~7.— Animated and flashing signs exceeding the following limits or restrictions:~~

~~a. Flashing signs are limited to a maximum illumination equivalent to incandescent bulbs of sixty watts per bulb maximum, and shall not flash more than sixty times per minute. "Chasers" are prohibited.~~

~~b. High intensity neon lights, tubes, or flashing lights exceeding sixty watts are prohibited on animated or flashing signs.~~

~~c. Rotating beacon-type lighting elements on signs are prohibited.~~

~~8.— Temporary or permanent off-site signs, including billboards, are prohibited except where otherwise provided by state law or in Section 18.47.180.~~

~~9.— Inflatable signs and displays, unless authorized pursuant to a temporary use permit.~~

~~10.— Signs mounted on motor vehicles that are in violation of Section 7.20.150 or signs exceeding twenty-five square feet mounted on motor vehicles parked for more than eight hours in any twenty-four-hour period on private property.~~

~~11.— Off-site temporary signs, mobile billboards on public streets (excepting buses, taxicabs, and business vehicles with an advertisement or display of its owner).~~

~~12.— Mobile Billboard Advertising. Mobile billboard advertising includes any vehicle or wheeled conveyance which carries, conveys, pulls, or transports any sign or billboard for the primary purpose of advertising. Mobile billboard advertising upon any street or other public place within the city in which the public has the right of travel is prohibited. Any vehicle which displays an advertisement or business identification of its owner, so long as such vehicle is engaged in the usual business or regular work of the owner and not used~~

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~~merely, mainly, or primarily to display advertisements; buses; and taxicabs are exempt from this prohibition.~~

18.47.070 PROHIBITED SIGNS

The signs listed in this section are prohibited in all zones and at all times unless explicitly authorized or allowed by another provision of this Chapter, another chapter of the code, or other applicable law.

1. **New billboards, conversion of existing billboards to digital or dynamic or tri-vision display, expansion of the display face of any existing billboard (except as authorized by state law), and the installation of an additional display face to an existing billboard structure;**
2. **Mobile billboards, but not including taxis or shuttle vehicles or public transportation vehicles that legally pass through the city;**
3. **Signs mounted on roofs, water towers, radio, television, or cell phone towers;**
4. **Signs mounted on fences;**
5. **Signs mounted on trees, bushes, or vegetation;**
6. **Signs placed on property (public or private) without consent of the property owner or other party holding the present right of possession and control;**
7. **Signs that obstruct any window, door, gate or opening used or required as a means of regular ingress or egress, legal light or ventilation, as a fire escape or other emergency access or escape;**
8. **Signs displayed on vacant or undeveloped lots;**
9. **Signs whose intensity of illumination or size, shape or location interferes with the safe operation of a vehicle or creates distraction to the operator of a wheeled vehicle on adjoining public streets;**
10. **Signs mounted in such a manner as to obstruct the free flow of vehicular or pedestrian traffic;**
11. **Signs that are confusingly similar to authorized, official traffic and pedestrian control signs, even though they are in fact not traffic control signs;**
12. **Signs using animation, flashing, blinking, or intermittent light exceeding any of these operational parameters:**

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- a. Illumination equivalent to incandescent light bulbs of sixty watts maximum per bulb;
 - b. Flashes or blinks more than 15 times per minute;
 - c. Chaser lights;
 - d. High intensity neon lights, tubes and flashing lights are prohibited on animated and flashing signs;
 - e. Rotating beacon lighting elements.
13. Advertising or attention-getting devices that are inflatable, float in air or water, or are activated by wind or forced air;
 14. Temporary signs displaying off-site commercial messages or used for general advertising for hire, unless required by state law;
 15. Signs placed in the public right-of-way, unless explicitly allowed by Chapter 13.28;
 16. Signs mounted on motor vehicles parked in the public right of way.

18.47.210- Master sign program. (now section 18.47.130)

18.47.130 MASTER SIGN PROGRAMS

A. Purpose and Applicability.

The purpose of the master sign program provisions is to provide a coordinated approach to signage for National City's business districts, which include but not limited to the Harbor District, Downtown, Mile of Cars, and Plaza Bonita. ~~The development of a master sign program is optional, but strongly encouraged for these areas.~~ Whenever a development project will have 6 or more separately leased spaces, then a master sign program is required.

B. Approval.

A master sign program shall require the approval of the planning commission and the city council, after considering the proposed design standards.

C. Design Standards.

Master sign programs shall feature a unified and coordinated approach to the materials, color, size, type, placement and general design of signs proposed for a project or property.

D. Effect of Master Sign Program.

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All subsequent signs proposed for a development or property subject to an approved master sign program shall comply with the standards and specifications included in the master sign program.

18.47.220- Removal from abandoned site or building. (now part of section 18.47.140)

18.47.140 NONCONFORMING SIGNS; ABANDONED USES

Signs that were legal when first installed, and which have not been modified or expanded in a manner that was illegal at the time of modification or expansion, may continue in use, so long as there is no modification or expansion which violates the regulations of this Chapter. If the size or configuration of a parcel or building is changed by the subdivision or splitting of the property or alterations to the building or parcel, property identification signs and outdoor advertising signs on the resulting properties shall be required to conform to the sign regulations applicable to the newly created parcel or parcels, at the time such change becomes effective.

Nonconforming signs shall be removed or made conforming when the business or property changes occupancy or ownership.

A. Change of Land Use / Nonconforming Signs

When there is a change in the use of land upon which are located signs that do not conform to this Chapter, then all signs on the parcel, lot, or leasable space must be brought into conformance with this Chapter and all other applicable laws, rules, regulations and policies.

C. Abandoned Site or Building

When the use of any parcel or building is vacated, terminated, or abandoned for any reason for a period of more than ~~one-hundred-twenty~~ (now 90 days) consecutive days, the owner or person in possession of the property shall be responsible for the physical removal of all signs on the property, building or wall(s), and for painting over the surface so as to obliterate any painted or printed signs on the building so that the copy is not visible, within thirty days following notice from the city. Removal, painting out, or obliteration shall be performed in a manner that does not create a blighting influence. Any sign that relates or pertains to an establishment that is not actually operating on the same site for a period of ninety (90) or more consecutive calendar days shall be considered abandoned. Legal nonconforming use rights are extinguished when a sign qualifies as abandoned.

18.47.230- Nonconforming signs. (now part of section 18.47.140)

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~~Any sign that is made nonconforming by enactment of Ordinance 2001-2192 may continue to be maintained or displayed subject to the provisions of Section 18.11.090 regarding the continuance and abatement of nonconforming signs.~~

18.47.240 - Constitutional severability. (no substantive changes – now section 18.47.170)

(Brand new section) 18.47.160 ENFORCEMENT AND REMOVAL

A. Public Nuisance

All violations of this Chapter are declared to constitute public nuisances which may be abated by any method provided by law.

B. Enforcement

Each day of violation or non-compliance with these regulations shall be deemed as a separate offense and subject to all remedies available at law. Legal procedures and penalties shall be in accordance with the enforcement procedures established by the municipal code or state law.

C. Illegal Signs

Illegal signs may be abated by the City in accordance with its Municipal Code, state law, including but not limited to Business and Professions Code 5499.1 et. seq., or state law on abatement of public nuisances, or as otherwise provided by law.

D. Summary Abatement – Safety Hazards

If any sign is an immediate threat to the public health and safety by virtue of the physical condition of the sign structure, said sign may be immediately and summarily removed with the cost of such removal charged to the property owner in accordance with this Chapter.

E. Notice of Violation

Whenever any sign or part thereof, other than those causing an immediate threat to the public health and safety, constitutes an illegal sign and/or is erected or maintained in violation of this Chapter, the Director shall give written notice to all Responsible Parties to remove the sign or to bring it into compliance. The notice shall specify the nature of the violation, and give directions for a cure, which may include complete removal or replacement by a specific date. The notice shall advise the permittee, owner or person

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in charge of the sign of the hearing rights established by this Chapter. The date for removal specified in the written notice shall not be less than ten (10) days from the date of the mailing of the notice. The responsible party receiving notice may request a hearing as detailed in 18.47.050.

F. Removal of Uncured Violations

Whenever the Responsible Parties fail to comply with an order of the Director made pursuant to this Section, and the time for cure has elapsed without the cure being effected, the Director may remove the sign, or order it removed, either by the City's own force or by a private party under contract. The expense of the removal may be charged, jointly and severally, to any and all responsible parties. Such amount shall constitute a debt owed to the City. No permit shall thereafter be issued to any permittee, owner or person in charge of a sign who fails to pay such costs. Any costs, including attorney's fees, incurred by the City in collection of the costs shall be added to the amount of the debt.

G. Cumulative Remedies

The provisions of this Section are alternative and additional remedies for the enforcement of this Chapter. Nothing in this Section shall preclude the City from enforcing the provisions of this Chapter by any other criminal, civil or administrative proceeding.

18.47.170 SEVERABILITY

The city council declares that the judicial invalidity of any subsection or portion of this chapter shall not affect the validity of any other remaining section or portion; that the city council would have adopted each of those remaining portions, notwithstanding any later declared invalidity. If any provision determined invalid under the preceding sentence can either be judicially severed or interpreted in a way that could harmonize it with the remaining provisions, then it may be severed or interpreted and applied so as to give full purpose, meaning, and effect to the remaining provisions of this chapter.

18.47.250- Non-commercial speech. (removed – now covered in “Message Substitution Policy” portion of section 18.47.030 – BASIC PRINCIPLES)

~~Anywhere that commercial signage is allowed, on-commercial signage is allowed subject to the same restrictions as those set forth for commercial signage, but not in addition to such allowance.~~

SIGN ORDINANCE CHANGES

18.47.260- Sign regulations by zone and type. (table deleted from Code, although a new table has been created that will be used at the counter as a reference document for staff)

~~The following table summarizes the types of signs that shall be permitted within the zoning designations listed below. Signs are not permitted in public rights-of-way unless otherwise noted in Table 18.47.260 below.~~

18.47.270- Signs for special uses. (removed – now covered under “Temporary Signs For Special Events” portion of section 18.47.090 – TEMPORARY SIGNS)

~~For institutional, educational, regional commercial or other large campus-style uses— including but not limited to hospitals, schools and colleges, or shopping malls— signs may exceed the design guidelines as prescribed in this chapter with the approval of the planning commission. Approval may be either through a discretionary development process (PD, CUP, etc.) for new construction or through the approval of plans process for existing facilities.~~



TEMPORARY POLITICAL (CAMPAIGN) SIGNS POSTING RULES P-11(A)

Development Services

Planning Division
1635 Faraday Avenue
(760) 602-4610
www.carlsbadca.gov

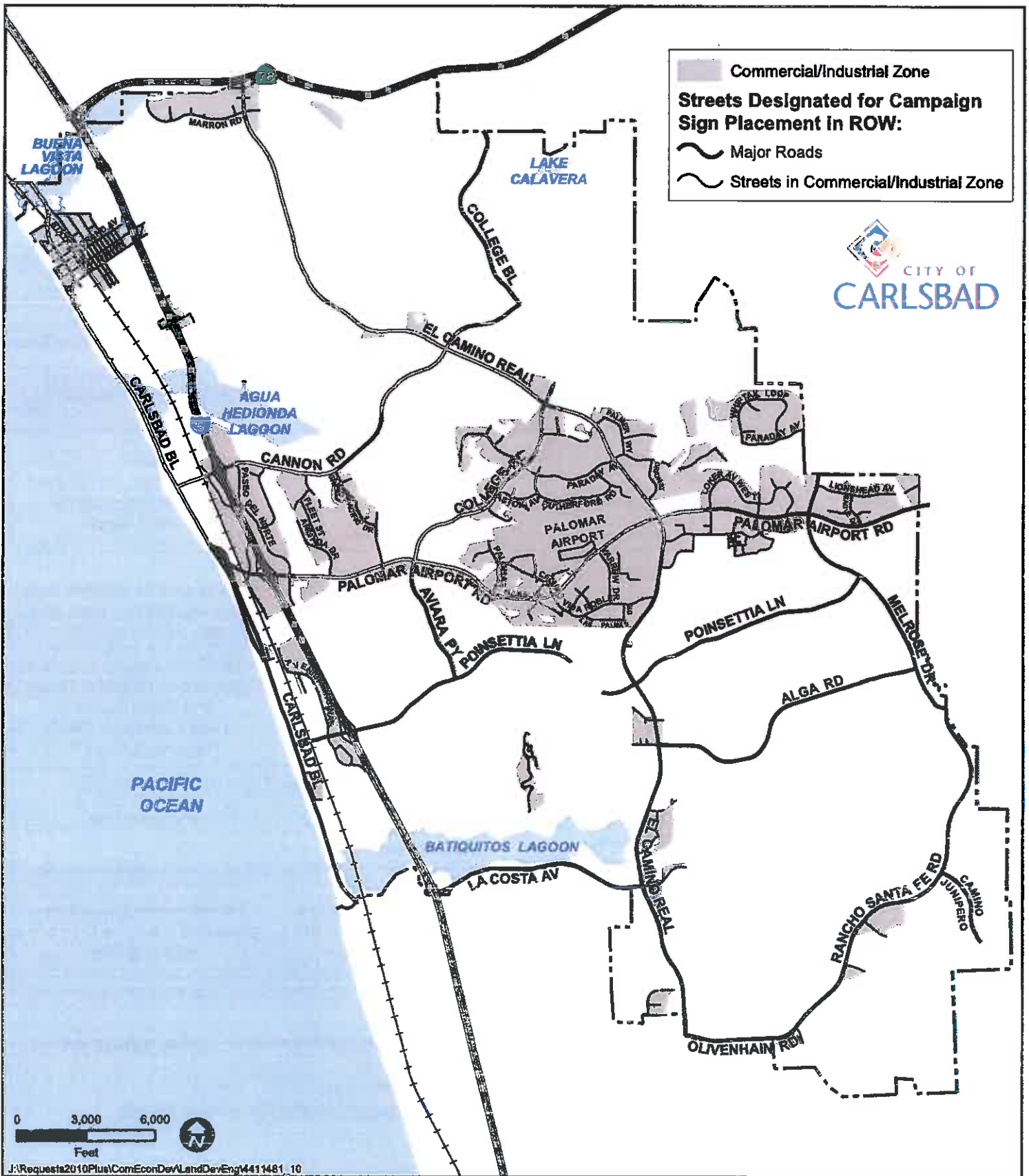
These basic rules are a simplified version of Carlsbad Municipal Code Chapter 11.44 – Private Party Signs on City Property and Carlsbad Municipal Code 21.41 – Sign Ordinance. Please refer to those documents for exact language and requirements.

	Residential Dwelling Unit (Private)	Nonresidential Establishment (Private)	City-Owned Right-of-Way (roadway plus 10 ft. beyond curb)
Permit Required?	No. Need permission of owner.	No. Need permission of owner.	Yes. Campaign sign Permit Fee (see Fee Schedule for current fees)
When?	45 days prior to election date 10 days after the election date.	30 days prior to election date 5 days after the election date.	30 days prior to election date 5 days after the election date.
Where?	Free standing. 5 feet from any property line.	Free standing. 5 feet from any property line.	Signs allowed along streets in Commercial/Industrial Zones and Major Roads (See Campaign Sign Placement Map) **
Size	8 square feet (total campaign and other noncommercial signage per dwelling unit)	10 square feet (total campaign and other noncommercial signage on nonresidential establishment)	6 square feet
Height	Not more than 42 inches in a front yard, not more than 60 inches elsewhere.	Not more than 42 inches in a front yard, not more than 60 inches elsewhere.	Not less than 1 ft. above grade and not more than 6 ft. above grade

**

- Cannot attach to utility poles, box or standard, traffic control sign or device supports, trees, other signs or bus benches.
- Cannot be placed in the roadway, sidewalk or median strip
- Cannot block any other sign or obstruct public access (sidewalks) or vehicle visibility.

For clarification of campaign sign rules, please call Code Compliance at (760) 602-2703.



**City of Carlsbad
 Campaign Sign Placement Map
 (Designated Street Right-of-Ways)
 C.M.C. Chapter 11.44**



REVIEW FOR TEMPORARY POLITICAL (CAMPAIGN) SIGN PERMIT P-11(B)

Development Services Planning Division 1635 Faraday Avenue (760) 602-4610 www.carlsbadca.gov

PLANNING APPLICATION # REC'D BY DATE SIGN FEE

APPLICANT MUST SUBMIT A COMPLETED APPLICATION FORM AND THE SIGN PERMIT FEES.

The application must be submitted prior to 4:00 p.m.

NAME OF CANDIDATE OR PROPOSITION:

NAME OF APPLICANT:

ADDRESS OF APPLICANT:

PHONE NUMBER: ELECTION DATE: (mo/year)

I CERTIFY THAT:

- 1. I have received a copy of Carlsbad Municipal Code (CMC) Chapter 11.44 regarding temporary political signage... 2. I have read the Temporary Political (Campaign) Sign Basics handout... 3. I will abide by the terms of Section 11.44.070... 4. I am aware that signs may be posted on public property beginning 30 days before the election... 5. I am also aware that campaign signs on private property, while not requiring a sign permit, may be posted beginning 45 days prior to the election...

SIGNATURE OF APPLICANT:

Item #2

9-22-15

**THE BROWN ACT: MAINTAINING TRANSPARENCY IN AN
ERA OF EVOLVING TECHNOLOGY**

(CITY ATTORNEY)

