

AGENDA
LAND USE AND DESIGN REVIEW COMMITTEE

February 10, 2011
9:00 A.M.

Laguna Woods City Hall
Council Chambers
24264 El Toro Road
Laguna Woods, CA 92637122

AGENDA DESCRIPTION: The Agenda descriptions are intended to give notice, to members of the public, of a general summary of items of business to be transacted or discussed. Any person wishing to address the Land Use and Design Review Committee on any matter, whether or not it appears on this agenda, may do so under the appropriate section of the agenda. Whenever possible, lengthy testimony should be presented to the Committee in writing (12 copies) and only pertinent points presented orally. Requests to speak to items on the agenda shall be heard at the appropriate point on the agenda; requests to speak about subjects not on the agenda will be heard during the Public Comment section of the meeting.

I. CALL TO ORDER

II. ROLL CALL

III. COMMITTEE BUSINESS

A. Vice Chair and Future Meeting Schedule

RECOMMENDED ACTION: Appoint a vice chair to conduct meetings in the absence of the chair and select a monthly meeting date and time.

B. Committee Procedures, Open Meeting and Conflict of Interest Regulations

RECOMMENDED ACTION: This item is an informational and discussion only item.

C. Permanent and Temporary Sign Regulations

RECOMMENDED ACTION: Discuss proposed modifications to sign regulations and recommend action to the City Council.

IV. COMMITTEE MEMBER COMMENTS

V. PUBLIC COMMENTS

VI. ADJOURN

MEETING RECAP

LAND USE AND DESIGN REVIEW COMMITTEE

December 9, 2010
9:00 A.M.

Laguna Woods City Hall
Council Chambers
24264 El Toro Road
Laguna Woods, CA 92637122

I. CALL TO ORDER

II. ROLL CALL

Present: Helibronner, Joss, Lindstrom, Loveder, Miller, Preli,
Sortino
Absent: DeBelles

III. COMMITTEE BUSINESS

A. Citywide General Plan/Zoning Code Modification Project

Staff clarified several changes to the draft documents, including standards in the residential community district. The Committee discussed the staff proposal and took questions from the audience. Concern was raised regarding the potential height of buildings in the new community facilities district and the existing community commercial district. Staff agreed to propose a reduction to the height limit for buildings in the community facilities from 55 to 45 feet. The two highway commercial properties that would be rezoned as community commercial are small lots that would restrict building height. Members of the audience also questioned the City's ability to rezone any property in the Village. City Manager Keane and several Committee members responded. Upon a motion and second, the committee voted 6-1 to recommend the staff proposal as amended during the meeting. Member Sortino voted in opposition.

IV. PENDING PROJECTS

City Manager Keane provided an update on the Moulton Parkway Construction project and noted that the Council approved the proposed new Building Codes, as recommended by the Committee. In addition, City Manager Keane discussed modifications to the City's sign regulations, which will be agendized at the Committee's February meeting.

V. COMMITTEE MEMBER COMMENTS

Chair Miller announced his resignation from the Committee at the end of his current term. City Manager Keane thanked all members and noted that the City Council will appoint new committee members at its January meeting.

VI. PUBLIC COMMENTS

Several residents expressed their concern regarding the Urban Activity Specific Plan process and the City's role. City Manager Keane stated that City staff has not seen a plan for this property and that there is currently no application submitted.

A resident inquired about how Committee members were appointed.

VII. The meeting was adjourned to the next regularly scheduled meeting on February 10, 2011.

**City of Laguna Woods
Agenda Report**

FOR: February 10, Land use and Design Review Committee Meeting

TO: Chair and Committee Members

FROM: Leslie A. Keane, City Manager

AGENDA ITEM: Temporary and Permanent Sign Regulations

Recommendation

Discuss proposed modifications to sign regulations and recommend action to the City Council.

Background

The majority of the City's sign regulations were inherited from the County of Orange. Since incorporation, the City Council has made a number of incremental changes to the regulations to deal with immediate concerns. In some instance this has resulted inconsistencies within the regulations and/or the need to refer to multiple documents for clarification. In 2009 and 2010, staff worked with an intern from the University of California, Irvine, to review the current regulations and compare them with other Southern California cities.

Discussion

Staff is proposing a number of changes to current regulations; these are intended to 1) reorganize the sign code sections in the Municipal Code for ease of use and clarity and 2) make regulations internally consistent and more reflective of current municipal and business practices.

Substantive recommendations are summarized below.

Permanent Signs

- Increase the maximum height of freestanding monument signs and center identification signs from 4 feet to 5 feet; 5 ½ feet including base.
- Allow residential tract developments and gas stations to apply for freestanding monument sign permits pursuant to the following minimum design standards:

Sign type and eligible sites	Maximum number	Maximum area	Maximum height	Additional requirements
Freestanding monument signs: for residential tract developments.	1 per entrance	Shall not exceed a maximum aggregate area of 40 square feet per sign.	5 feet for sign face; 5 ½ feet including base	Signs on decorative garden walls or retaining walls (e.g. curved, angled or similar walls integrated into a project entry or perimeter) are encouraged. In cases where such walls are on both sides of a dedicated entry drive, 2 signs are permitted per entrance.

Sign type and eligible sites	Maximum number	Maximum area	Maximum height	Additional requirements
Freestanding monument signs: for individual gas stations or "combination" uses, which combine a gas station with a car wash, fast food restaurant, convenience store, etc.	1 per street frontage; no more than 2 per site	Shall not exceed a maximum aggregate area of 40 square feet per sign.	5 feet for sign face; 5 ½ feet including base	Gas prices must display the actual price per gallon of all grades of gasoline, including taxes and other charges.

- Allow country clubs (e.g., Laguna Woods Village clubhouses, golf courses), congregate care facilities (e.g., The Regency, Las Palmas), and apartment/condominium complexes (e.g., Whispering Fountains, San Sebastian, Rossmoor Towers) to apply for wall sign permits. Continue to allow non-residential uses to apply for wall sign permits.
- Remove “highway commercial,” add “residential community” and add “community facilities” districts to the section regulating freestanding flag poles. [This would align the existing regulations with recent zoning code modifications]

Temporary Signs

- Add a new permit type titled “interim identification banner signs” for tenants to use for a maximum of 30 days during permanent sign change outs where new permanent signage has been approved by the City Manager but is not yet installed.
- Remove the three color restriction on banner signs.
- Allow the City Manager to authorize banner sign placement in locations other than flush against the building based on sight line constraints (including hung between two firm and sturdy object such as trees). [This would not apply to real estate banner signs]
- Base the number of days a banner sign can be displayed on a calendar year, instead of a rolling 12 month period.
- Prohibit more than 30% of the tenants in a multi-tenant building or a shopping center from displaying banners at the same time.
- Clarify that banner signs are for use by tenants, not non-tenant property managers/owners.
- Clarify the use of sandwich boards signs, allowing their continuous use for restaurants in lieu of outdoor menu signs and use by other retail businesses for 30 day periods in lieu of banner signs.

- Allow the City Manager to waive a single 30-day removal requirement for banners signs for commercial businesses that are going out of business (i.e., if a business is going out of business, they could display a “going out of business” banner for 60 consecutive days, if they have at least 60 of their 120 day display limit left – this would not allow for more than 120 days of display per year).
- Remove the requirement that freestanding temporary signs be made of wood or metal.
- Increase the display period for temporary window signs from 30 days to 60 days.
- Clarify that temporary window signage includes any sign temporarily attached, painted, posted, or displayed flush against a window or located inside within a distance equal to the greatest dimension of the window (either width or height) and designed to be viewed from the outside of the building in which the window is located.
- Prohibit commercial center decorative signs (e.g., pennants) from linking light standards.
- Prohibit banner signs from being used as real estate signs except as provided for under the real estate banner sign section of the Code.
- Prohibit promotional banner signs from being displayed concurrent with real estate banner signs.
- Allow shopping centers with five or more units to display real estate banner signs in lieu of a real estate sign if they have 60% or higher vacancy. Use of temporary tenant banners would not be allowed in conjunction with these.
- Add new temporary sign types not requiring a sign permit for:
 - *Construction entrance and exit signs* – Not to exceed 24 square feet each; limited to a maximum of one entrance and exit per construction site.

- *Garage, estate, and yard sale signs* – Subject to the same regulations as open house signs, including: (i) may be displayed between dawn to dusk, while the sale is in progress; (ii) limited to a total of three per common interest development unit and one per single family home, and (iii) shall not exceed four square feet.
- *Residential decorative signs* (noncommercial banners, flags, garland, pennants, and other signs related to a holiday, season, noncommercial event or affiliation) – Shall not exceed 10 square feet each but otherwise permitted without limitation.
- *Incidental signs* (e.g., street address, “protected by alarm,” “beware of dog”) – Shall not exceed three square feet each but otherwise permitted without limitation.
- *Private traffic control signs* – May contain content similar to a traffic signs so long as the signage does not interfere with, mislead or confuse traffic on City-owned streets. Permitted as required by a site development permit or at the discretion of the private property owner.
- *Club function signs* (e.g., “club meeting today” displayed outside a room and/or onsite directing guests to a room) – Freestanding temporary signs and temporary easel signs are permitted without limitation, subject to the following:
 - Must be temporary in nature and only identify short-term functions of a noncommercial and limited-term nature.
 - Only permitted in the community facilities districts and at country clubs (e.g., Laguna Woods Village clubhouses, golf courses) located in open space or residential community districts, and only if sponsored by non-profit community service organizations, clubs, religious and spiritual organizations, and governmental agencies.
 - Shall be displayed no more than two hours prior to the function and removed no later than two hours after the function.
 - Shall not obstruct entrances, walkways or parking areas.

- Specify that temporary real estate signs are permitted for residential developments and nonresidential buildings. Nearby nonresidential buildings of a similar purpose that are represented by the same agent may be limited to less than one sign per building.
- Remove the limit of three election signs per residentially zoned property.

Special Sign Permits

- Change the name of “Signs and banners for religious institutions and other 501(c)(3) nonprofit organizations” to “community facilities sign permits.” Tenants in community facilities zoning districts would be eligible to apply for a permit allowing a maximum of two temporary signs that would otherwise require individual permits at any one time.
 - Due to the availability of nonprofit community service organization banner sign permits, remove 501(c)(3) organizations from eligibility for community facilities sign permits unless they are tenants of community facilities zoning districts.
 - Change community facilities sign permits to calendar year, rather than 12 months.
 - Events advertised must be for the facilities primary use, not an incidental or accessory use such as a book sale.
 - Prohibit community facilities sign permit holders from displaying temporary signs requiring a permit except those permitted by the community facilities sign permit.
 - Permit only one rigid mounting structure per community facilities sign permit.
 - Prohibit tenants with permanent changeable copy signs from holding community facilities sign permits.
- Add temporary sign regulations for special events and temporary uses. Signs would be approved concurrent with special event/temporary use sign permits at no additional cost.

- The City Manager would be able to exercise discretion in approving any of the temporary signs (including standards thereof) allowed by the sign regulations.
- Include balloon regulations based on the existing regulations in Section 13.26.180. Specify that balloons may be staked into the ground or attached to permanent building features provided that public health, safety, and welfare is protected. [Outdoor use of balloons is only permitted with a special event/temporary use permit]

Prohibited Signs

- Add a prohibition against inflatable signs and signs that emit noise.
- Add a prohibition against signs with illegal, sexual, profane, or nude copy.
- Codify existing policy that no signs shall be permitted in conjunction with outdoor restaurant seating located in a common area walkway, including copy on umbrellas.
- Add a prohibition against neon and non-standard building lighting.
- Clarify regulations related to hand-held signs to prohibit advertising only.

Legal Nonconforming Signs

- Clarify that sign copy cannot be changed except for on changeable copy signs.
- Base the determination of whether a sign is damaged or destroyed beyond 50% of the actual value on the actual cost of replacing the sign (not the original value of the sign).

Exemptions

- Exempt signs erected, displayed or approved by the City (i) pursuant to a federal, state or local law, rule or agreement; (ii) relating to public safety, health or welfare; (iii) serving any directional, way-finding, informational or decorative purpose and located on City-owned property; (iv) advertising a

City-sponsored activity, special event or temporary use; or (v) relating to a public works or maintenance project, from the sign regulations.

Conclusion

The proposed modifications to current regulations are designed to clarify standards and procedures and make regulations internally consistent and more reflective of current municipal and business practices. The City attorney is currently reviewing the draft ordinance and there may be some subsequent re-wording; however, no substantial changes are anticipated. The City Council has scheduled this matter for a public hearing at its February 16, 2011 meeting.

Attachment: Redline Draft Modifications

CHAPTER 13.06. DEFINITIONS

Sec. 13.06.010. - Definitions.

(a) *Purpose and applicability.* The purpose of these provisions is to promote consistency and precision in the interpretation of the Zoning Code. The meaning and construction of words and phrases as set forth shall apply throughout this Code, except where the context of such words or phrases clearly indicates a different meaning or construction.

(b) *General rules for construction of language.* The following general rules of construction shall apply to the textual provisions of Title 13, Zoning:

(05) The specific shall supersede the general.

(10) In the case of any difference of meaning or implication between the text of the provision and any caption or illustration, the text shall control.

(15) "Shall" is mandatory. "May" is discretionary.

(20) Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.

(25) Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:

a. "And" indicates that all connected items or provisions shall apply.

b. "Or" indicates that the connected items or provisions may apply singly or in any combination.

c. "Either ... or" indicates that the connected items or provisions shall apply but not in combination.

(30) All public officials, bodies, and agencies to which reference is made are those of the City of Laguna Woods, unless otherwise indicated.

(c) *General terms.* The following are general terms used throughout the Code:

(05) *City* means the City of Laguna Woods including any special district or agency that may be governed by the City Council.

(10) *Days* included within a specific time period do not include the day action was taken but include all subsequent days unless the last day falls upon a Saturday, Sunday, or upon a legal City holiday, in which case the next business day shall be the last day of the time period. Days are generally in calendar time, unless otherwise specified.

(15) *Director or Community Development Director* means the City Manager or designee.

(20) *Planning Commission* means the members of the City Council, or that body as established in accordance with State law regulating Local Planning, acting in a capacity to carry out the purposes of this title in accordance with State Planning and Zoning Law.

(25) *General Plan* means the City of Laguna Woods General Plan.

(30) *State* means the State of California.

(35) *County* means the County of Orange.

(40) *Zoning code or code* means this title, including Zoning District maps and specific plans development maps and texts adopted pursuant to or as an amendment to sections governing such.

(d) *Specific terms.* The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(05) *Abandoned sign:* A sign whose use has ceased or has been discontinued for a period of at least 90 consecutive days, or a sign identifying a business that has not occupied the premises for at least 90 consecutive days.

(10) *Abutting:* Having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting.

(15) *Accessory building:* A subordinate building located on a building site, the use of which is customarily ancillary to that of a main building or to the use of the land.

(20) *Accessory use:* A use ancillary to the principal use of the land or building site, or to a building or other structure located on the same building site as the accessory use.

(25) *Administrative/professional offices:* A place of business for the rendering of service or general administration including medical and dental offices, but excluding retail sales.

(30) *Adult entertainment business:* See Section 13.26.020.

(35) *Advertising device/display:* Any contrivance, statue, or structure, other than a sign, used to attract attention or make anything known for the purpose of promoting (either directly or indirectly) the use of products or services of any person or business, including but not limited to a balloon, flag, pennant, propeller, or an oscillating, rotating, or pulsating light.

(40) *Alley:* A public or private way not more than 20 feet wide permanently reserved as a secondary means of access to abutting property.

(45) *Alternative transportation mode*: Any mode of travel that serves as an alternative to the single occupant vehicle. This can include all forms of ridesharing, public transit, bicycling or walking.

(47) *Alternative vehicle*: An electrical or gasoline powered vehicle, such as a golf cart, golf car, motorcycle or motor scooter, which does not exceed 55 inches in width and does not contain doors.

(50) *Animal clinic*: A place where animals no larger than the largest breed of dogs are given medical and surgical treatment. A facility primarily for treatment of outpatients and where only critical patients are kept longer than 24 hours. No boarding of animals shall be permitted.

(55) *Antenna structure*: An antenna, any structure designed specifically to support an antenna, and/or any appurtenances mounted on such structure or antenna.

(60) *Apartment*: See "Dwelling, multiple-family."

(65) *Apiary*: A facility and/or area dedicated to the maintenance of bees.

(70) *Archaeological/paleontological/historical site*: Locations dedicated to the protection, rehabilitation, and restoration of districts, sites, buildings, structures, and artifacts significant in history, architecture, archaeology, or culture.

(75) *Area per unit*: The area of a building site, in square feet, divided by the number of dwelling units on the building site.

(80) *Attached buildings and structures*: Two or more buildings or structures which are physically connected with a wall, roof, deck, floor, bearing or support structures, trellises, architectural features, or any other structure, fixture or device that exceeds 30 inches in height above the finished grade.

(85) *Automobile repair specialty shops*: A retail and service place of business engaged primarily in light repair, and sale of goods and services for automotive vehicles including brake, muffler and tire shops and their accessory uses. Heavier automobile repair such as major body and paintwork, transmission and engine rebuilding are not included herein.

(90) *Automobile service station*: A retail place of business engaged primarily in the sale of motor fuels and supplying those incidental goods and services which are required in the day-to-day operation of automotive vehicles and the fulfilling of motorists' needs.

(95) *Automobile/truck maintenance and repair*: A place of business engaged primarily in heavy repair of automotives and trucks including, but not limited to, major body and paintwork and transmission and engine rebuilding.

(100) *Automobile wrecking, junk/salvage yards*: The wrecking or taking apart of motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partly dismantled, or wrecked motor vehicles or their parts.

(105) *Banner signs*: Any sign hung either with or without frames, possessing written communication applied to nonrigid paper, plastic or fabric of any kind.

(110) *Basement*: A story partly underground and having more than one-half of its height above the ground level grade.

(115) *Bed and breakfast (B and B)*: Any building or portion thereof with access provided through a common entrance to less than six guestrooms having no cooking facilities and which are rented on a weekly basis or less. Meals may or may not be provided.

(120) *Bedroom*: Any habitable room other than a kitchen, dining room or a living room.

(125) *Boardinghouse*: Any building or portion thereof with access provided through a common entrance to guestrooms having no cooking facilities and which are rented on a monthly basis or longer. Meals may or may not be provided.

(130) *Building*: A structure having a roof supported by columns or walls.

(135) *Building frontage*: A building elevation which fronts along a parking lot or main access drive for a shopping center.

(140) *Building height*: The apparent height of a building relative to the surrounding ground area.

(145) *Building line*: An imaginary line on a building site specifying the closest point from an ultimate right-of-way line or a property line where a main building may be located. It may be a line shown as such on a map entitled "Precise Plan of Highway Alignment" or any other officially adopted precise plan, and any amendments thereto. If no such precise plan has been adopted, the building line shall be a line as specified in the development standards as stated for each zoning district. The building line shall be at the required distance from, and measured at right angles to, the ultimate right-of-way or property line.

(150) *Building site*: A parcel or contiguous parcels of land that was established in compliance with the building site requirements of this Code.

(155) *Building site area, minimum*: The net development area calculated by measuring the building site horizontally as a level plane and excluding rights-of-way or easements that prohibit the surface use of the site, except easements for open space purposes on single-family lots. The minimum building site area shall be undivided and relatively compact although the entire building site may be larger with diffuse parts.

(160) *Building site coverage, maximum*: The relationship between the ground floor area of the building or buildings and the net area of the site. Said net area shall be computed by deducting from the gross site area any ultimate street rights-of-way together with all rights-of-way and all easements that prohibit the surface use of the site, except easements for open spaces purposes on single-family lots. Unenclosed post-supported roofs over patios and walkways and unenclosed post-supported eave overhangs shall not constitute buildings for the purpose of this definition.

(165) *Building site, panhandle or flag*: A building site wherein the only vehicular access to the site is by way of a corridor or vehicular accessway which serves no other property, is less than 40 feet wide and is more than 40 feet long.

(170) *Building site, through*: A building site having frontage on two parallel or approximately parallel streets.

(175) *Building size*: The total gross floor, measured in square feet of a building or group of buildings at a worksite. Includes the total floor area of new development and total expanded floor area of existing facilities.

(180) *Caretaker*: A person who lives on the premises for the necessary purposes of managing, operating, maintaining, or guarding the primary use or uses permitted on the premises.

(185) *Carpool*: Two to six persons traveling together in a single vehicle.

(190) *Carport*: A roofed structure, or a portion of a building which is open on two or more sides, for the parking of automobiles belonging to occupants of the property.

(195) *Cellar*: A portion of a building partly or wholly underground and having more than one-half of its height below the ground level grade. A cellar shall not be considered a building story.

~~(200) *Center identification monument sign*: Any freestanding sign that identifies the center name, address, and major tenant names.~~

(205) *Centerline*: A line described by the first situation that applies in the following instances:

a. A section line, half section line or quarter section line whenever a mapped highway is plotted on the "Master Plan of Arterial Highways" along a section, half section or quarter section line.

b. A line shown as a centerline on a map entitled "Precise Plan of Highway Alignment," and any amendments thereto.

c. A line shown as a centerline on a recorded tract map, an approved record of survey map or a parcel map.

d. A line in the center of the ultimate street right-of-way.

(207) *Changeable copy sign*: A sign duly approved by the City with copy that is intended to be replaced without any change to sign location or construction.

(210) *Clinics, medical or dental*: An organization of doctors providing physical, dental or mental health Service and medical or surgical care of the sick or injured but not including inpatient or overnight accommodations.

(215) *Club*: An association of persons for some common purpose but not including groups organized primarily to render service that is customarily carried on as a business.

(220) *Collocation or collocated*: The location of multiple antennas which are either owned or operated by more than one Service provider at a single location and mounted to a common supporting structure, wall or building.

(225) *Commercial*: Operated or conducted on a frequent basis for the purpose of financial gain.

(230) *Commercial coach*: A vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes.

~~(235) *Commercial decorative banner sign*: A colorful, decorative or festive banner on a light standard within a commercial center.~~

(240) *Commercial mobile service*: Any mobile service that:

- a. Is offered in return for monetary compensation,
- b. Is available to the public or a substantial portion of the public, and
- c. Provides subscribers with the ability to access or receive communication from the public switched telephone network.

(245) *Commercial mobile service*: Includes, but is not limited to, paging service, wireless data transmission, cellular telephone service, specialized mobile radio service (SMR), and personal communications service (PCS).

(250) *Commercial recreation*: Any use or activity where the primary intent is to provide amusement, pleasure or sport but which is operated for financial gain. It includes establishments where food and beverages are sold as a secondary or ancillary use, but does not include restaurants, nightclubs and cocktail lounges.

(255) *Community apartment projects*: A project in which an undivided interest in the land is coupled with the right of exclusive occupancy of an apartment located thereon.

(260) *Community care facility*: Any facility which may or may not require a State license to provide nonmedical residential care or day care for six or less children, adults, or both, including physically handicapped and mentally incompetent persons. This includes child day care facilities/day care nurseries and family day care homes.

(265) *Condominium*: An estate consisting of an undivided interest in common in a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property, such as an office or store or multifamily dwelling. A condominium may include, in addition, a separate interest in other portions of such real property.

(270) *Congregate care facility*: A facility providing care on a monthly basis or longer and which is the primary residence of the people it serves. It provides services to the residents such as the following: dining, housekeeping, security, medical, transportation and recreation. Any commercial services provided are for the exclusive use of the occupants of the facility. Such a facility may be located in more than one building and on contiguous parcels within the building

site. It includes facilities offering occupancy on a monthly basis or longer such as hotels, resorts, etc. which have similar characteristics.

~~(275) *Construction sign*: A sign stating the names of those individuals or firms directly connected with the construction or development project, which includes an address and a telephone number.~~

(280) *Convalescent home*: A facility licensed by the State Department of Health Services which provides bed and ambulatory care for more than six patients with postoperative convalescent, chronically ill or dietary problems and persons unable to care for themselves; including persons undergoing psychiatric care and treatment both as inpatients and outpatients but not including persons with contagious diseases or afflictions. Also known as nursing home, convalescent hospital, rest home, or home for the aged.

(285) *Conversion project*: An apartment house, multiple or group dwelling existing, under construction or for which building permits have been issued, which is proposed for conversion to a residential condominium, community apartment, residential stock cooperative or planned development; or an existing mobile home park which is proposed to be converted to a mobile home condominium project, a mobile home stock cooperative project, a mobile home planned development or a conventional mobile home subdivision.

(290) *Coordinated antenna program (CAP)*: A coordinated program to preapprove multiple locations for proposed and potential future facilities.

(295) *Country club*: Premises and property that include facilities for outdoor sports, social activities, etc. that may include such activities associated with golf, equestrian riding, tennis, etc. whereby membership is usually private and use of the premises is limited to members and their guests.

(300) *Day care nursery*: Any facility operated by a person, corporation or association used primarily for the provision of nonmedical daytime care, training, or education of more than six children under 18 years of age at any location other than their normal place of residence, excluding any children normally residing on the premises.

~~(305) *Decorative flags*: Temporary flags of a distinctive color or design, placed within the ground, or mounted on landscape/garden wall and not attached to the building.~~

(310) *Detached buildings and structures*: Two or more buildings or structures that are each structurally independent and freestanding and not connected by walls, roofs, floors, decks, supports, trellises, architectural features or any other structure, fixture or device that exceeds 30 inches in height above the finished grade.

(315) *Drive-in*: Designed or operated so as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle.

(320) *Driveway*: A vehicular passageway for the exclusive use of the occupants of a property and their guests. A driveway shall not be considered as a street.

(325) *Driveway approach*: A designated area between the curb or traveled way of a street and the street right-of-way line that provides vehicular access to abutting properties. When vehicular access to a building site is provided by way of a common driveway, the driveway approach is the line of intersection where the individual driveway abuts the common driveway.

(330) *Dry cleaning, dyeing and laundry plant*: A central processing facility for cleaning of clothing and fabrics collected from and returned to patrons and to dry cleaning and laundry agencies.

(335) *Duplex*: A permanent building containing two dwelling units.

(340) *Dwelling, multiple-family*: Two or more dwelling units on the same building site.

(345) *Dwelling, single-family*: One dwelling unit per building site.

(350) *Dwelling unit*: One or more rooms in a structure including a kitchen of any size, designed for occupancy by one family for living and sleeping purposes, and including a mobile home when such mobile home bears an insignia of approval issued by the California Department of Housing and Community Development or a housing seal number from the Federal Department of Housing and Urban Development (HUD).

(353) *Easel sign*: A temporary sign with an upright tripod construction, that is not permanently affixed on or upon the ground, and which is neither attached to nor a part of any building or structure.

(355) *Easement*: A recorded right or interest in the land of another, which entitles the holder thereof to some use, privilege or benefit in, on, over or under said land.

(360) *Educational institution*: Private or public elementary or secondary schools, colleges or universities qualified to give general academic instruction.

(365) *Educational institution, adults*: Business, trade or technical school serving adults.

(370) *Electronic message board sign*: A sign with a fixed or changing display composed of a series of lights. (Does not include time and temperature displays.)

(375) *Emergency shelter*: means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

(380) *Employee*: Any person employed by a firm, person(s), business, educational institution, nonprofit agency or corporation, government agency, or other entity. The term "employee" shall include persons employed on a full-time, part-time, or temporary basis.

(385) *Employee's quarters*: Quarters for the housing of agricultural or domestic employees when such quarters are located upon the same land occupied by their employer.

(390) *Enclosed*: Contained on all sides by walls that are pierced only by windows, vents, or customary entrances and exits.

(395) *Family*: One or more persons occupying one dwelling unit. The term "family" includes the occupants of community care facilities serving six or fewer persons that are permitted or licensed by the State. The term "family" does not include occupants of a fraternity, sorority, boardinghouse, lodginghouse, club, or motel.

(400) *Family day care home*: A home at which the resident of the home provides regular nonmedical care, protection, and supervision of one to 14 children for periods of less than 24 hours per day. The provider shall be licensed per the State Health and Safety Code unless specifically exempted therein.

(405) *Family day care home, large*: A family day care home which provides family day care to seven to 14 children, including children who reside at the home.

(410) *Fast-food establishments*: means an establishment whose principal business is the sale of preprepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off the premises. Food is ordered by patrons at a counter.

(415) *Fixed wireless service*: Any service providing radio communication to or from antenna structures at fixed and specified locations which are not designed to be moved during operation and which offers the ability to access or receive communication from the public switched telephone network.

(420) *Floor area, gross*: The total horizontal floor area of all floors of a building, including the exterior walls thereof, measured in square feet; excepting that for commercial, professional and administrative office or industrial buildings or building complexes, areas used in common such as covered malls, walkways, patio areas and entries open to and directly connecting with outside areas, shall not be included when calculating off-street parking requirements.

(425) *Floor area ratio (FAR)*: Numerical value obtained by dividing the gross floor area of all buildings located on a building site by the building site area.

(430) *Freestanding ~~monument~~ temporary sign*: ~~An independent sign permanently affixed in or upon the ground, and which is neither attached to nor a part of a building.~~ A temporary sign of A-frame or sandwich board construction, that is not permanently affixed on or upon the ground, and which is neither attached to nor a part of any building or structure. Easel signs are not considered freestanding temporary signs.

(435) *Garage*: A building, or a portion of a building, used primarily for the parking of four-wheeled motor vehicles.

(440) *Garage/yard/estate sale*: For the purpose of this title, the words "garage/yard/estate sale" shall refer to sale activities not associated with regular commercial or retail operations, and where the general public may purchase identifiable or tangible personal property. No purchased or consigned merchandise may be offered for sale. No goods may be placed in the public right-of-way or on private streets and sidewalks. Also included in the definition are patio sales, rummage sales, attic sales, moving sale, temporary bazaars, and any other similar activities for the purpose of selling, trading or otherwise disposing of personal goods.

(445) *Grade, ground level*: The average elevation, determined by averaging the elevations of four or more points as necessary, at the building site boundary line where it is less than five feet from the building or at five feet outside the perimeter of the bearing or foundation line of a building.

(450) *Grazing*: The act of pasturing livestock on growing grass or other growing herbage, or on dead grass or other dead herbage existing in the place where grown, as the principal sustenance of the livestock.

(455) *Ground mounted*: A wireless communication facility that is mounted to a pole, lattice tower or other freestanding structure that is specifically constructed for the purpose of supporting an antenna.

(460) *Guesthouse*: A detached building having no kitchen facilities, which is used primarily for sleeping purposes for members of the family occupying the main dwelling and their nonpaying guests.

(465) *Habitable room*: Any room usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A room designed and used only for storage purposes is not a "habitable room."

(470) *Helistop*: A takeoff and landing area for helicopters often on the roof of the building.

(475) *Home occupation*: See Section 13.26.120.

(480) *Homeless person*: An individual or family who lacks a fixed, regular, and adequate nighttime residence; or an individual or family who has a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

(485) *Hospital*: A facility licensed by the State Department of Health Services providing clinical, temporary or emergency service of a medical, obstetrical, surgical, or mental health nature to human patients.

(490) *Hotel*: Any building or portion thereof with access provided through a common entrance, lobby or hallway to six or more guestrooms which are rented on a weekly basis or less and which have cooking facilities in less than 25 percent of the guest rooms.

(495) *Information center*: A building or portion thereof used to provide information about events, public transit, or tourist attractions to the general public.

(500) *Kennel*: Any property where four or more dogs, or four or more cats, over the age of four months, are kept or maintained for any purpose, except veterinary clinics and hospitals, and except property for which an animal permit has been issued.

(505) *Lattice tower*: A tower-like structure used to support antennae and comprised of three or more steel support legs.

(510) *Legal nonconforming sign*: A sign lawfully existing on the effective date of an ordinance, or amendment thereto, that renders such sign nonconforming because it does not conform to all standards and regulations of the ordinance.

(515) *Lot*: Any area identified as a lot or parcel on a recorded final map, parcel map, record of survey recorded pursuant to an approved division of land, certificate of compliance or lot line adjustment. A lot is not necessarily a building site.

(520) *Lot frontage*: The length of the front lot line measured at the street right-of-way line. For flag lots, that portion of a lot, not including the pole portion that is generally parallel to the access street.

(525) *Main building*: The building containing the main or principal use of the premises, or occupied for the purpose of operating or administering the main or principal use.

(530) *Major facility*: A wireless communication facility that is ground mounted and does not exceed the maximum height of the applicable zoning district in which the major facility is located.

(535) *Major tenant*: Any tenant in a multi-tenant commercial center which either occupies 30 percent or more of the leased square footage of the center or has five or more locations in the region, state, or nation.

(540) *Master Plan of Arterial Highways*: A component of the transportation element of the Orange County General Plan designating adopted and proposed routes for all commuter, secondary, primary and major highways within the County of Orange.

(545) *Microwave communication*: The transmission or reception of radio communication at frequencies of a microwave signal (generally, in the 3GHz to 300GHz frequency spectrum).

(550) *Ministorage facility*: A building or buildings containing various size storage compartments not exceeding 500 square feet each, and wherein each compartment is offered for rent or lease to the general public for the private storage of materials excluding materials sold at the facility or delivered directly to customers. The facility may have an on-site caretaker dwelling unit as an accessory use.

(555) *Minor facility*: A wireless communication facility that is either wall mounted, utility mounted, or roof mounted in such a manner that the entire facility is screened by solid material on four sides, is architecturally compatible with surrounding land uses and does not exceed the maximum height of the applicable zoning district in which the minor facility is located.

(560) *Mixed-use development*: Appropriate land uses include, but are not limited to, residential, commercial, office, industrial park, civic, cultural, educational facilities, and child care facilities.

(565) *Mobile home*: A structure transportable in one or more sections, designed to be used with or without a permanent foundation system. Mobile home does not include recreational vehicle, commercial coach, noncommercial coach or factory-built housing. A mobile home is also a trailer coach designed to be used without a permanent foundation and which is in excess of 40 feet in length.

(570) *Mobile home development*: Any area or tract of land used to accommodate mobile homes for human habitation, and includes mobile home accommodation structures. Includes mobile home parks and mobile home subdivisions.

(575) *Mobile service*: Any service providing radio communication to or from at least one antenna that is designed to be moved during operation or used during halts at unspecified locations; or as otherwise defined in 47 USC 153 and interpreted by the Code of Federal Regulations and the Federal Register.

(580) *Motel*: A building or group of buildings containing six or more guest rooms rented on a weekly basis or less and which have cooking facilities in less than 25 percent of the guestrooms.

(585) *Mounted*: Any manner of attachment, support, or connection, whether on ground or on a structure.

(590) *Multipoint distribution service*: A microwave communication service that delivers video programming directly to subscribers, including multichannel, multipoint distribution services, instructional television fixed service, and local multi-point distribution services, or as otherwise defined by Section 207 of the Telecommunications Act of 1996, Section 1.4000 of Title 47 of the Code of Federal Regulations and any interpretive decisions thereof issued by the Federal Communications Commission.

(595) *Noncommercial coach*: A vehicle, with or without motive power, designed and equipped for human occupancy for classrooms and other nonresidential and noncommercial uses.

(600) *Nonconforming use/structure/site, legal*: A use/structure/site that was lawfully established in compliance with the zoning regulations that were applicable to the property at the time the use/structure/site was established, but which does not presently comply with the existing regulations of the zoning district within which it is located.

(605) *Open space*: Any parcel or are of land or water, public or private, which is reserved for the purpose of preserving natural resource, for the protection of valuable environmental features, or for providing outdoor recreation or education. For purposes of measuring the amount of open space, it does not include public/private road right-of-way areas, driveway and parking areas not related to recreational uses, any buildings, building setback areas, or the required space between buildings, and the surface utility facilities. Open space may include structures and impervious surfaces as identified in "open space, usable."

(610) *Open space, usable*: Open space without any slopes in excess of 20 percent. Such open space may include structures and impervious surfaces such as tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, and greenbelts with walkways or bicycle trails.

(615) *Parking accessway*: A vehicular passageway that provides access and circulation from a street access point into and through a parking lot to parking aisles and between parking areas.

(620) *Parking structure*: An area or structure that is open or closed and is used for the hourly or day-to-day parking of motor vehicles.

(625) *Planned (unit) development*: A subdivision of separately owned lots, parcels or areas, other than a community apartment, a condominium, or a stock cooperative project, having either or both of the following features:

- a. Lots, parcels or areas owned in common by the owners of the separately owned lots, parcels or areas.
- b. Power to enforce any obligation in connection with membership in the owners association or any obligation pertaining to the beneficial use and enjoyment of any portion of, or any interest in, either the separately or commonly owned lots, parcels or areas.

(630) *Pole sign*: A freestanding sign directly supported by a pole or poles with air space between the grade level and the sign face.

(635) *Portable sign*: ~~A sign not securely attached or fixed to the ground in a permanent fashion or to a permanent structure; or a sign upon a vehicle or trailer used as a stationary advertising display, the primary purpose of which is to serve as a base or platform for the sign. Any vehicle or trailer which is parked or used as a stationary display on public or private property and has attached thereto, or located thereon, any sign or advertising device/display for the basic purpose of providing advertisement or directing people to a business or activity located on the same or nearby property or any other premises. This definition is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during normal course of business.~~

(640) *Precise plan of highway alignment*: A plan, supplementary to the Master Plan of Arterial Highways, which establishes the highway centerline, the ultimate right-of-way lines and may establish building setback lines.

(645) *Private special event*: A privately held "special event," sponsored by a community homeowners association on association property for association members.

(650) *Project net area*: All of the land area included within a plan for a development project excepting those areas designated for public and private road rights-of-way, schools, parks, and other uses or easements that preclude the use of the land therein as part of the development project.

~~(655) *Projecting sign*: A sign, other than a wall sign, perpendicular to the wall upon and is mounted and suspended from or supported by a building or structure and projecting outward there from.~~

(660) *Public safety area*: A strip of land 20 feet in width adjacent to and parallel with a street right-of-way.

(665) *Radio communication*: The transmission and/or reception of impulses, writing, signs, signals, pictures, and sounds of all kinds through space by means of electromagnetic waves.

~~(670) *Real estate sign*: A sign advertising the sale, lease or rental of the property upon which it is located, and the identification of the person or firm handling the sale, lease, or rent.~~

(675) *Recreational vehicle*: A motor home, travel trailer, truck or van camper, tent trailer, camping trailer or trailer-borne recreation equipment with or without motive power, for recreational, travel or emergency purposes.

(680) *Recycling center*: A facility that accepts delivery or transfer of ownership of source-separated materials for the purpose of recycling or diversion from disposal. Included are "drop-off" recycling centers, where no fee is paid, such as churches or other charitable groups, or "buy-back" centers, like those at supermarkets, where a fee is usually paid to the generator for the materials. These facilities do not require a State permit.

(685) *Regulatory permit*: A special regulations permit required for a land use that may be appropriate within a particular zoning district, but not compatible with other permitted uses in the district, or where additional development or performance standards are required.

(690) *Restaurant*: A retail establishment engaged in the preparation and sale of food and beverages. This use includes cafes, coffee shops, sandwich shops, and kitchens engaged in preparing food. The licensed on-site provision of alcoholic beverages for consumption on the premises is also included in this definition when accessory to the food service.

(695) *Retail*: The selling of goods, wares or merchandise directly to the ultimate consumer.

(700) *Riding and hiking trail*: A trail or way designed for and used by equestrians, pedestrians and cyclists using nonmotorized bicycles.

(705) *Right-of-way (row)*: An area or strip of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

(710) *Roof mounted*: A facility that is mounted in any manner that does not satisfy either the definition of wall mounted or utility mounted and is typically mounted on the roof of a building.

(715) *Roof sign*: A sign erected wholly upon or above the roof of a building or above a parapet wall ~~canopies, marquees, and similar overhangs~~. Signs on mansards shall be considered roof signs.

~~(720) *Sandwich board sign*: A temporary portable sign, generally of an "A-frame" construction, which is not permanently affixed on or upon the ground, and which is neither attached to nor part of a building.~~

(725) *Scenic highway*: Any highway designated a scenic highway by the City of Laguna Woods, County, State or Federal Government.

(730) *Senior citizen*: A person 55 years of age or older.

(735) *Senior citizen housing*: A residential development consisting of at least 35 dwelling units which is developed for, or substantially rehabilitated or renovated for, senior citizens.

(740) *Service*: An act, or any result of useful labor, which does not, in itself, produce a tangible commodity.

(745) *Setback area/distance*: The area/distance between the building line and the property line or, when abutting a street, the ultimate right-of-way line.

(750) *Shopping center*: A group of industrial, office, or commercial establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site. A center shall consist of two or more tenants on one development site.

(753) *Sign*: Any medium for visual communication, including but not limited to words, symbols and illustrations, together with all parts, materials, frame and background, which is used or intended to be used to attract attention to, identify, or advertise an establishment, product, service, promotion, function, activity or location, or to provide information. For the purpose of this chapter, decorative exterior illumination shall be regulated as a sign.

(755) *Sign program*: A comprehensive sign plan that identifies location, size, design, and color of signs within a ~~shopping center~~ given area in order to achieve aesthetically appealing and compatible signage.

(760) *Single room occupancy (SRO)*: A building with a common entrance containing a cluster of at least five rental units which provide sleeping and living facilities for one or two persons where kitchen and/or bathroom facilities may be shared. The units shall have a minimum of 100 net square feet of space

for a single occupancy and 120 square feet for two-person occupancy. The calculation for net floor space in the sleeping area includes built-in cabinets, sinks, and closets, but excludes toilet compartments. A unit larger than 225 square feet shall be deemed an efficiency dwelling unit and not a single room occupancy (SRO).

(765) *Special event*: For the purpose of this chapter, the words "special event" shall refer to public or privately sponsored special gatherings (e.g., pageants, health fairs, carnivals, athletic events, religious events, outdoor entertainment) not exceeding five days unless specifically referenced in this chapter.

(770) *Stealth facility*: Any wireless communication facility which is disguised to appear as another natural or artificial object that is prevalent in the surrounding environment or which is architecturally integrated into a building or other concealing structure.

(775) *Stock cooperatives*: A corporation which is formed primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, if all or substantially all of the shareholders of such corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation, which right of occupancy is transferable only concurrently with the transfer of the share or shares of stock or membership certificate in the corporation held by the person having such right of occupancy.

(780) *Street*: A public or private vehicular right-of-way, other than an alley or driveway, including both local streets and arterial highways.

(785) *Street, multifamily*: A driveway, easement, accessway or other private vehicular right-of-way to serve a unified multi-lot/multifamily project for which a discretionary permit has been approved and where residential setback, other than provided for specifically in this Title, are not required.

(790) *Structure*: That which is erected or constructed having a fixed location and is more than 30 inches above the finished grade. An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. A mobile home, except when used as a Temporary Use with its weight resting at least partially upon its tires, is a structure for the purposes of this definition.

(795) *Swimming pool*: An artificial body of water having a depth in excess of 18 inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women, or children.

(800) *Temporary fencing*: A temporary fence is defined as a fence erected for a limited and defined period of time, not to exceed a maximum of two years with Temporary Use permit, except as approved by a Conditional Use permit.

(805) *Temporary Use*: For the purpose of this Chapter, the words "Temporary Use" shall refer to short-term activities on private property or public property (with an approved encroachment permit) not to exceed two years when in

conjunction with an active building or encroachment permit. (e.g., outdoor storage, construction trailers, etc.)

~~(810) *Temporary promotional sign*: Any sign related to a date-specific event, including without limitation, public elections and community events.~~

(815) *Transfer/materials recovery facility*: A permitted nondisposal solid waste facility that accepts solid wastes, temporarily stores, separates, converts, or otherwise processes more than five percent of the solid wastes received, and transfers the residual materials to a solid waste disposal, or transformation facility.

(820) *Transfer station*: A permitted nondisposal solid waste facility that transfers solid waste directly from smaller to larger vehicles for transport to materials recovery facilities, landfills, or transformation facilities.

(825) *Transformation facility*: A permitted facility that performs incineration, pyrolysis, distillation, gasification or biological conversion, other than composting, for recovery of energy from solid waste.

(830) *Transitional housing shelters*: housing with supportive services for up to 24 months that is exclusively designated and targeted for recently homeless persons. Transitional housing includes self-sufficiency development services, with the ultimate goal of moving recently homeless persons to permanent housing as quickly as possible, and limits rents and service fees to an ability-to-pay formula reasonably consistent with the United States Department of Housing and Urban Development's requirements for subsidized housing for low income persons. Rents and service fees paid for transitional housing may be reserved, in whole or in part, to assist residents in moving to permanent housing.

(835) *Ultimate right-of-way*: The right-of-way shown as ultimate on an adopted precise plan of highway alignment, or the street rights-of-way shown within the boundary of a recorded tract map, a recorded parcel map or a recorded PC development plan. The latest adopted or recorded document in the above cases shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the highway classification as shown on the Master Plan of Arterial Highways. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way, in the case of a private street, and the existing right-of-way, but not less than 60 feet, in the case of a public street.

(840) *Use*: The purpose for which land or building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

(845) *Utility mounted*: A facility that is mounted to an aboveground structure that is specifically designed and installed to support electrical power lines, cable television lines, street lighting, traffic signal equipment, park lighting or a

structure on public or private property deemed by the City to be similar in nature.

(850) *Vanpool*: Seven or more persons traveling together in a single vehicle.

(855) *Vehicular accessway*: A private, nonexclusive vehicular easement affording access to abutting properties.

(860) *Vehicle/vessel sales/rentals*: An open area used for the display, sale, and/or rental of new or used automobiles and water vessels.

(865) *Wall mounted*: A facility that is mounted on any vertical surface of a building that is not specifically constructed for the purpose of supporting an antenna i.e., the exterior walls of a building, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign such that the highest point of the "antenna structure" is at an elevation equal to or lower than the highest point of the surface on which it is mounted.

(870) *Wall sign*: A sign attached to, erected on, painted on or otherwise affixed to the exterior wall of a building or structure in such a manner that the face of the sign is approximately parallel to the exterior wall of the building and exposed to the exterior side of the building. Signs and/or advertising displays in or on windows are not considered wall signs.

(875) *Window sign, permanent*: Any sign exposed to public view that is permanently affixed to the interior or exterior surface of a window and only identifies the name of the business, hours of operation, and/or address for which the sign is displayed.

(880) *Window sign, temporary*: ~~Any sign exposed to public view that is temporarily attached, painted, posted, or displayed on the interior or exterior surface of the window and typically identifies type and price of merchandise sold, special events or activities for the business in which the temporary signage is displayed.~~ Any sign temporarily attached, painted, posted, or displayed flush against a window or located inside within a distance equal to the greatest dimension of the window (either width or height) and designed to be viewed from the outside of the building in which the window is located. A banner sign on the exterior of a window shall not be considered a temporary window sign. For the purpose of this chapter's sign regulations, the term "window" shall also include vehicle bays with full doors that are closed when not in use.

(885) *Wing wall*: An architectural feature in excess of six feet in height that is a continuation of a building wall projecting beyond the exterior walls of a building.

(890) *Wireless communications facility or facility*: An antenna structure and any appurtenant facilities or equipment located within City limits and that is used in connection with the provision of wireless service.

(895) *Wireless video service*: Any service providing radio communication that delivers video programming.

(900) *Worksite*: A building or group of buildings which are developed as a single project, and which serves as the place of employment, base of operation, or predominate location of an employee or group of employees.

CHAPTER 13.20. SIGN REGULATIONS

- Sec. 13.20.010. - Purpose and intent.**
- Sec. 13.20.020. - General provisions.**
- Sec. 13.20.030. - Sign placement.**
- Sec. 13.20.040. - Sign measurement.**
- Sec. 13.20.050. - Sign illumination.**
- Sec. 13.20.060. - Permanent sign design criteria.**
- Sec. 13.20.070. - Permitted permanent signs.**
- Sec. 13.20.080. - Temporary sign design criteria.**
- Sec. 13.20.090. - Permitted temporary signs.**
- Sec. 13.20.100. - Special temporary sign permits.**
- Sec. 13.20.110. - Signs not requiring a permit.**
- Sec. 13.20.120. - Prohibited signs.**
- Sec. 13.20.130. - Exemptions.**
- Sec. 13.20.140. - Legal nonconforming signs.**
- Sec. 13.20.150. - Sign programs.**
- Sec. 13.20.160. - Enforcement.**

CHAPTER 13.20. SIGN REGULATIONS

Section 13.20.010. Purpose and intent.

(a) The purpose and intent of this chapter is to promote and protect public health, safety and welfare by regulating signs in order to assure that they are:

- (1) Well-designed, compatible with community character and harmonious with surrounding properties, buildings and streetscapes;
- (2) Clear and legible in the circumstances in which they are seen;
- (3) Appropriate to the type of business or activity to which they pertain; and
- (4) Displayed in a manner that does not harm public health, safety and welfare.

(b) This chapter is not intended to be exclusive and compliance with its provisions shall not excuse noncompliance with any federal, state or other local laws.

Section 13.20.020. General provisions.

(a) *Permit required.* It shall be unlawful for any person or entity to display, erect, install, or maintain any sign requiring a permit under this chapter without obtaining and holding in full force and effect a permit issued in accordance with this chapter. Permits shall be issued by the City Manager and require submittal of an application, as well as the payment of fees established by resolution of the City Council.

(b) *Special design approval criteria to apply.* Signs located within the boundaries of a specific plan, sign program or other special design approval area shall comply with all criteria established by such plan, program, or area.

(c) *Interpretation of provisions.* Where a matter of interpretation arises regarding the provisions of this chapter, the more specific or more rigorous standard shall prevail. If the City Manager determines that the application of any portion of this chapter is uncertain, interpretation shall be considered by the City Council.

(d) *Maintenance.* Signs, together with frames, supports, braces, anchors and related components, shall be maintained in good condition, including the replacement of defective parts. Exposed surfaces shall be kept clean, in good repair, free of graffiti and other such markings, not discolored or faded, and painted where paint is

required. The City Manager may determine and order the repair or removal of any sign that is unsafe, defective, damaged, or unsatisfactorily maintained.

(e) *Property owner approval.* Nothing in this chapter is intended to permit the display, erection, installation, or maintenance of any sign without the approval of the property owner.

(f) *Use of the City seal.* Use of the City seal is prohibited without prior written approval from the City Manager.

Section 13.20.030. Sign placement.

(a) *Traffic safety.* No sign shall obstruct any parking area or the free and clear vision and movement of pedestrian or vehicular traffic.

(b) *Off-site signs.* All signs shall be located on the same premises as the business or activity identified by the sign unless specifically permitted in this chapter.

(c) *Placement on City property.* No sign shall be located on, over, or across City property unless specifically permitted in this chapter.

Section 13.20.040. Sign measurement.

(a) *Measurement of sign height.* Sign height shall be measured as the greatest vertical distance measured from the ground level directly beneath the sign base to the top of the sign. When signs are constructed on hillsides or embankments where the sign supports are at varying lengths, height shall be measured from the horizontal midpoint of the sign. In cases where the City Manager determines that the visibility of a free-standing sign is impeded due to its placement below the elevation of the street to which it is oriented, the City Manager may measure maximum sign height from the top of curb of the street (or the edge of pavement of such street where there is no curb) or from such other appropriate reference point as determined by the City Manager.

(b) *Measurement of sign area.* Sign area shall be measured as follows:

(1) *Basic rule.* Sign size and area shall be defined as the total area of the sign face, including any perimeter trim, but excluding any structures or uprights on which the sign is supported.

(2) *Window signs.* Window sign area shall be considered to be the entire area of any sign placed on or inside a window which is not painted or otherwise drawn directly on the glass. For signs painted or otherwise drawn directly on the glass, area measurement shall be the same as that for wall signs.

(3) *Wall signs.* The area of signs composed of individual letters affixed to a building or freestanding wall shall be defined as the area which encloses all copy, logos and graphics with four, six or eight perpendicular lines.

(4) *Double-faced signs.* If a sign is double-faced with only one face visible from any ground position at one time, its sign area shall be considered to be the area of either face taken separately. Thus, if the maximum permitted sign area is 20 square feet, a double-faced sign may have an area of 20 square feet per face.

(5) *Three-dimensional signs.* If a sign has three or more faces, its sign area shall be considered to be the sum of the areas of each individual face. Thus, if a sign has four faces and the maximum permitted sign area is 20 square feet, the maximum area for each face shall be limited to five square feet.

Section 13.20.050. Sign illumination.

(a) *Generally.* Temporary signs shall not be illuminated. Permanent signs may be illuminated unless specifically prohibited in this chapter.

(b) *Means of illumination.* All illumination from or upon any sign shall be shaded, shielded, directed, and/or reduced to prevent glare and reflection onto surrounding properties. Illumination shall not be unduly bright, meaning that it shall not be in excess of that which is reasonably necessary to make the sign readable to an average person. Externally-illuminated signs shall be lighted by screened or hidden light sources. With the exception of the use of neon illumination in window signs as permitted in this chapter, the use of neon or non-standard lighting colors is prohibited.

(c) *Illumination of signs abutting residential districts.* Except for signs pursuant to an approved sign program, when any district boundary abuts a residential district and the boundary is less than or equal to 100 feet away, signs facing said boundary shall not be illuminated.

Section 13.20.060. Permanent sign design criteria.

(a) *Colors.* Sign colors shall complement the colors used for the building and the project as a whole. Colors which interfere with legibility of the sign copy or which interfere with identification of existing or surrounding signs shall not be used. Sign colors shall be limited to a maximum of three, plus either black or white.

(b) *Copy.* Sign copy cannot reference illegal, unauthorized, off-site, incidental, or accessory uses and is limited to identification purposes. Sign copy cannot include telephone numbers, fax numbers, e-mail addresses, or website addresses.

(c) *Changes to approved sign face or copy.* Changes in the sign face or sign copy of any approved sign, other than normal maintenance or changes in the sign copy of approved changeable copy signs, shall be approved by the City Manager to ensure that the new sign face or sign copy is consistent with this chapter and any applicable specific plan, sign program or other special design approval regulations.

Section 13.20.070. Permitted permanent signs.

(a) *Tenant, building, or street frontage.* For the purpose of this section, tenant, building or street frontage shall mean the side of a building or tenant’s portion of a building facing a parking lot, public or private street or driveway entrance.

(b) *Awning signs.* For the purpose of this section, any sign incorporated into an awning or canopy shall be considered a wall sign.

(c) *Permitted permanent signs.* The following permanent signs may be permitted with an approved sign permit and any other required permits from the City:

Sign type and eligible sites	Maximum number	Maximum area	Maximum height	Additional requirements
<i>Freestanding monument signs</i>				
Freestanding monument signs: for single tenant sites including commercial buildings (excluding gas stations),	1 per site	Shall not exceed one square foot of area for each linear foot of building frontage, up to a	5 feet for sign face; 5 ½ feet including base	

congregate care facilities, churches, temples and places of worship, and apartment/condominium complexes.		maximum aggregate area of 40 square feet.		
Freestanding monument signs: for residential tract developments.	1 per entrance	Shall not exceed a maximum aggregate area of 40 square feet per sign.	5 feet for sign face; 5 ½ feet including base	Signs on decorative garden walls or retaining walls (e.g. curved, angled or similar walls integrated into a project entry or perimeter) are encouraged. In cases where such walls are on both sides of a dedicated entry drive, 2 signs are permitted per entrance.
Freestanding monument signs: for individual gas stations or "combination" uses, which combine a gas station with a car wash, fast food restaurant, convenience store, etc.	1 per street frontage; no more than 2 per site	Shall not exceed a maximum aggregate area of 40 square feet per sign.	5 feet for sign face; 5 ½ feet including base	Gas prices must display the actual price per gallon of all grades of gasoline, including taxes and other charges.
Wall signs				
Wall signs: for	1 per tenant	Shall not		Sign copy shall be

nonresidential uses, country clubs, congregated care facilities, and apartment/condominium complexes.	frontage; no more than 2 per site	exceed one square foot for each linear foot of tenant frontage for any elevation containing a sign. A combined maximum aggregate area of 150 square feet for all wall-mounted signs will be allowed per site.		contiguous, with words separated by no more than 3 inches.
---	-----------------------------------	---	--	--

Other signs

Freestanding center identification signs: for shopping centers with five or more tenants.	1 per street frontage	Shall not exceed one square foot of sign area per linear foot of street frontage not to exceed a maximum aggregate area of 50 square feet per sign.	5 feet for sign face; 5 ½ feet including base	1. Signs shall identify the name of the shopping center, address, and up to three tenants. 2. The name of the center shall constitute at least 50% of each sign face. Tenant identification shall be secondary in appearance to the name of the center.
Pedestrian signs: for shopping centers with five or more tenants	1 per tenant frontage; no more than 2 per tenant	Shall not exceed a maximum aggregate	1 foot	1. Signs shall not be illuminated. 2. Signs shall be located

and covered walkways.		area four square feet per sign.		perpendicular to the tenant facade, under the covered walkway, and a minimum of eight feet above finished grade.
Freestanding flag poles: for any single development site.	2 freestanding poles and 3 flags per single development site	N/A	35 feet in open space recreational, neighborhood commercial, or professional and administrative offices districts 50 feet or building height, whichever is less in community commercial, community facilities, residential community, or residential multifamily districts	1. For the purpose of this section, a commercial center, mall, business park, recreational facility and multi-building residential development shall be considered a single development site, regardless of ownership or parcelization. 2. Flags allowed shall be defined as fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used to denote nations, government subdivisions, educational institutions, or noncommercial organizations. Flags may not contain text other than the name of the organization,

				its incorporation date and/or motto.
--	--	--	--	--------------------------------------

Section 13.20.080. Temporary sign design criteria.

- (a) *Colors.* Sign colors shall complement the colors used for the building and the project as a whole. Colors which interfere with legibility of the sign copy or which interfere with identification of existing or surrounding signs shall not be used.
- (b) *Copy.* Sign copy cannot reference illegal, unauthorized, off-site, incidental, or accessory uses and is limited to advertising short-term promotions, functions, or activities, except where otherwise noted.

Section 13.20.090. Permitted temporary signs.

- (a) *Tenant, building, or street frontage.* For the purpose of this section, tenant, building or street frontage shall mean the side of a building or tenant’s portion of a building facing a parking lot, public or private street or driveway entrance.
- (b) *Sign permit required.* The following temporary signs may be permitted with an approved sign permit and any other required permits from the City:
 - (1) *Construction information signs.* One sign stating the names and contact information of those entities directly involved with the construction of a project, as well as general construction and contact information, shall be permitted on a construction site, subject to the following:
 - a. The area of the sign shall not exceed six square feet for residential projects involving four or less units, 32 square feet for residential projects involving five or more units, or 32 square feet for nonresidential projects.
 - b. The height of the sign shall not exceed five feet for the sign face; five and one half feet including base.
 - c. The sign may be displayed for a term not to exceed 12 months and shall be removed upon completion of the final City building inspection. The display period may be extended by the City Manager if construction is active.

(2) *Banner signs.* Banner signs shall be permitted for tenants in commercial districts and on country clubs, congregate care facilities, and apartment/condominium complexes, subject to the following:

a. Each site may display banner signs, for a maximum of 120 days within a calendar year period. Time can be used in any multiple of consecutive days, not exceeding 30 days per display. Banner signs shall be removed for at least 30 days prior to the effective date of a subsequent permit. Multiple banner signs displayed consecutively shall count as a single banner sign. The City Manager may waive a single 30-day removal requirement for commercial businesses that are going out of business.

b. The area of each banner sign shall not exceed 25 square feet for tenant frontages of 25 linear feet or less or one square foot per linear foot for tenant frontages of more than 25 linear feet. The combined maximum area of all banner signs displayed over all frontages shall not exceed 100 square feet.

c. Banner signs shall be mounted flush to a building, wall or fence and may not be located on a roof, awning, or overhang. In the event of sight line constraints, the City Manager may exercise discretion in the application of this standard, or may permit banner signs to be hung securely between two or more firm and sturdy objects.

d. Banner signs shall not contain telephone numbers, fax numbers, e-mail addresses or website addresses.

e. Banner signs shall not be used as a substitute for permanent signage or for purposes similar to real estate signs.

f. No more than 30 percent of the tenants in a multi-tenant building or shopping center may display banner signs at a single given time.

(3) *Interim identification banner signs.* One interim identification banner sign per tenant shall be permitted during permanent sign change outs where new permanent signage has been approved by the City Manager but is not yet installed, or for new tenants where permanent signage has been approved by the City Manager but is not yet installed, subject to the following:

a. The banner sign may be displayed for a term not to exceed 30 days and shall be removed upon installation of the permanent signage.

b. The banner sign shall only be permitted to be displayed in the location where the approved forthcoming permanent signage will be installed.

c. Banner copy and size shall be limited to the copy and size approved for the forthcoming permanent signage and “Coming Soon,” “Grand Opening,” or similar language, if applicable.

d. No other temporary signage shall be displayed concurrent with an interim identification banner sign.

(4) *Real estate signs.* For any one residential development or nonresidential building, one real estate sign shall be permitted, subject to the following:

a. The real estate sign may be displayed for a term not to exceed 12 months and shall be removed upon the close of escrow or when the sale, lease or rental of all units has been accomplished, whichever occurs first. Buildings with no current vacancies are not permitted to display real estate signs.

b. Sign copy shall be limited to information relating to the sale, lease or rental of the building for which the sign is displayed.

c. The real estate sign shall be located on the building site being sold, leased or rented. In the case of a shopping center, residential tract development, congregate care facility, or apartment/condominium complex, the sign may be located on common area property within the larger site as long as it does not occupy property used for pedestrian or vehicular access. Nearby nonresidential buildings of a similar purpose that are represented by the same agent may be limited to less than one sign per building.

d. The area of the real estate sign shall not exceed:

1. *Where located in a residential district.*

i. Four or less units per building: Six square feet.

ii. Five or more units per building: 32 square feet.

2. *Where located in a nonresidential district.* 32 square feet.

e. Shopping centers, congregate care facilities and apartment/condominium complexes with five or more units available for sale, lease or rental may

display real estate banner signs in lieu of a real estate sign, subject to the following:

1. Real estate banner signs may be displayed for a term not to exceed 12 months and shall be removed when 60 percent of the units are sold, leased or rented, whichever occurs first.
2. A maximum of one real estate banner sign may be displayed per building frontage. No other banner signs or interim identification banner signs may be displayed concurrent with real estate banner signs.
3. The area of real estate banner signs shall not exceed one square foot per linear foot of building frontage up to a combined maximum of 100 square feet over all frontages.
4. Real estate banner signs must be mounted flush to a building, wall or fence and may not be located on a roof, awning or overhang. In the event of sight line constraints, the City Manager may exercise discretion in the application of this standard; however real estate banner signs shall not be permitted to be hung between two or more firm and sturdy objects.
5. Real estate banner signs shall not contain telephone numbers, e-mail addresses or website addresses.

(5) *Shopping center decorative signs.* In shopping center parking areas, decorative banners, flags, garland and pennants displayed for noncommercial purposes shall be permitted subject to the following:

- a. Shopping center decorative signs may be displayed for a term not to exceed 12 months.
- b. Shopping center decorative signs cannot exceed a maximum size of 30 inches wide and 60 inches long, but may be required to be smaller to achieve aesthetic proportion, avoid blocking views or comply with this chapter.
- c. The bottom of each shopping center decorative sign shall be mounted a minimum of ten feet above finished grade.
- d. Shopping center decorative signs shall only be attached to individual light standards or permanent features in shopping center parking areas. Signs cannot link, adjoin or connect light standards or permanent features.

e. Shopping center decorative signs cannot have any wording, lettering or logos with the exception of:

1. The name and/or logo of the shopping center, consistent with an approved sign program if applicable; and/or
2. A decorative design related to a holiday, season or noncommercial event.

(6) *Freestanding temporary signs.* Freestanding temporary signs shall be permitted for restaurants and retail businesses in commercial districts subject to the following:

a. Specific regulations for eligible sites are:

1. *Restaurants in commercial districts.*

- i. One freestanding temporary sign may be displayed for a term not to exceed 12 months during open business hours, provided that the restaurant does not have any permanent signage that includes menu information.
- ii. Sign copy is limited to the name of the restaurant and menu information. Sign copy shall not include contact information or advertise promotions, functions, or other activities.

2. *Retail businesses in commercial districts.*

- i. One freestanding temporary sign may be displayed as an alternative to banner signs. Freestanding temporary signs shall be subject to the same time of display restrictions that pertain to banner signs and shall be counted toward the 120-day maximum display limit.
- ii. Sign copy shall not include contact information.

b. Freestanding temporary signs shall not exceed a maximum height of four feet and two feet wide including frames. Width at base, construction and design shall be as necessary to provide a firm and sturdy base.

c. Freestanding temporary signs shall be located against the building and adjacent to the entryway. Signs shall not be located in landscape areas. There shall be a minimum of four feet of clearance around the sign.

Section 13.20.100. Special temporary sign permits.

(a) *Nonprofit community service organization sign permits.* A no-fee permit for regular banner signs may be granted by the City Manager for a two week period or less, to nonprofit community service organizations for functions which will benefit the general public or a majority of the City's residents. Signs shall conform to all design, location and other standards of this chapter (excluding maximum number of signs) and may also be used to advertise functions unrelated to the premises upon which signs are located. Banners shall be exempt from the 30-day removal and 120-day aggregate use limits.

(b) *Community facilities sign permits.* Tenants in community facilities districts may apply for a calendar year sign permit allowing a maximum of two temporary signs on their property at any one time. No other temporary signage that requires a sign permit may be displayed on-site while a community facilities sign permit is in effect. Signs permitted by a community facilities sign permit are subject to the following:

(1) Signs shall be subject to this chapter's standards for each relevant sign type, including but not limited to, height, area, copy, and location, but are exempt from time of display restrictions.

(2) Sign copy must be related to the community facilities sign permit holder's primary use, not an incidental or accessory use. Signs advertising an activity or event may not be displayed more than 30 days in advance and must be removed within 48 hours of the end of the activity or event.

(3) Banners signs may be allowed in a rigid mounting structure, subject to the City Manager's approval. Approval of a rigid mounting structure must consider, at a minimum, building code requirements for wind load and footing design. Only one rigid mounting structure shall be permitted per site.

(4) Tenants with permanent changeable copy signs used to advertise short-term promotions, functions, or activities are not eligible to obtain community facilities sign permits.

(c) *Special event/temporary use signs.* The City Manager may exercise discretion in approving any of the temporary signs (including standards thereof) described in this chapter for display during a special event and/or temporary use, so long as the purpose and intent of this chapter is met and subject to the following:

- (1) Special event/temporary use signs shall only be approved as part of a special event or temporary use permit.
- (2) Signs shall be located on the site of the special event or temporary use.
- (3) Signs shall have a time of display limit concurrent with the special event or temporary use and shall not be counted toward the time of display restrictions described in this chapter.
- (4) Sign copy shall be directly related to the special event or temporary use.
- (5) Incidental or accessory outdoor use of balloons may be approved. The type, quantity, size, material, and location of balloons is subject to the approval of the City Manager and will be considered based on sight line constraints, as well as protection of public health, safety and welfare. Balloons shall not be intentionally released or made of any metallic material. Balloons may be staked into the ground or attached to permanent building features.

Section 13.20.110. Signs not requiring a permit.

(a) *Sign permit not required.* The following types of signs are permitted without a sign permit; however the sign owner shall not be relieved of other City permit requirements, sign maintenance responsibilities, and compliance with applicable provisions of this chapter or any other law or ordinance:

- (1) *Election signs.* Election signs are limited to government elections and are subject to the following:
 - a. Election signs shall be placed no earlier than 60 days prior to the election promoted by or related to the election sign and shall be removed not later than 10 days following the date of the election, except that election signs that carry over promotional information from a primary election to a general election need not be removed during the time between the related elections.
 - b. The area of each election sign shall not exceed 25 square feet.

c. The height of each election sign shall not exceed 12 feet.

d. All election signs shall include the name of the sign owner or the sign owner's agent and a telephone number and physical address where such owner or owner's agent may be contacted.

(2) *Window signs.* Permanent and temporary window signs are limited to tenants in commercial districts and subject to the following:

a. Permanent and temporary window signs shall be limited to a combined maximum of 25 percent of the window area on each tenant frontage.

b. Permanent window signs may be displayed year-round. Temporary window signage shall be removed at least every 60 calendar days.

c. Neon signs (plug-in, nonstructural), such as "open" and "closed" signs, shall be permitted as part of the total allowable permanent window signage, not to exceed a combined total of six square feet or 25 percent of the window area on each tenant frontage, whichever is less. Neon signs shall be located inside, behind closed windows, doors or walls, at all times.

(3) *Open house signs.* Open house signs are limited to residential districts and subject to the following:

a. Open house signs may be displayed between the hours of dawn to dusk, and only while the open house is in progress.

b. Open house signs for residential units located in a common interest development shall be limited to three per unit and may be placed on-site or on common area associated with the unit. Single family residences shall be limited to one open house sign per property which shall be placed on-site.

c. The copy of open house signs shall be limited to information relating to the sale, lease or rental of the unit or property, hours of the open house and directions to the open house.

d. The area of each open house sign shall not exceed four square feet.

(4) *Garage, estate and yard sale signs.* Garage, estate and yard sale signs are limited to residential districts and subject to the following:

- a. Garage, estate and yard sale signs may be displayed between the hours of dawn to dusk, and only while the sale is in progress.
- b. Garage, estate and yard sale signs for residential units located in a common interest development shall be limited to a total of three per unit and may be placed on-site or on common area associated with the unit. Single family residences shall be limited to one garage, estate or yard sale sign per property which shall be placed on-site.
- c. Garage, estate and yard sale sign copy shall be limited to information relating to the sale, hours of the sale and directions to the sale.
- d. The area of each garage, estate or yard sale sign shall not exceed four square feet.

(5) *Signs in residential enclosed areas.* In residential districts, signs located within malls, courts, arcades or other enclosed areas where signs are not visible from any point of the site boundary are permitted without limitation.

(6) *Residential decorative signs.* In residential districts, banners, flags, garland, pennants and other signs displayed for noncommercial purposes that are each no more than 20 square feet in area with decorative designs related to a holiday, season, noncommercial event or affiliation are permitted without limitation.

(7) *Incidental signs.* Incidental signs that are no more than three square feet in area (e.g., “residence protected by alarm,” “beware of dog,” “no trespassing,” street address, etc.) are permitted without limitation.

(8) *Private traffic control signs.* Signs solely for the purpose of guiding vehicular traffic and parking on private property are permitted as required by a site development permit or at the discretion of the private property owner and may contain content similar to a traffic sign so long as the signage does not interfere with, mislead or confuse traffic on City-owned streets.

(9) *Club function signs.* Freestanding temporary signs and temporary easel signs are permitted for club functions subject to the following:

- a. Club function signs must be temporary in nature and only identify short-term functions of a noncommercial and limited-term nature (e.g., “meeting today” displayed outside a room and/or onsite directing guests to a room).

b. Club function signs are only permitted in community facilities districts and at country clubs located in open space or residential community districts, and only if sponsored by a club, non-profit community service organization, religious/spiritual organization, or government agency.

c. Club function signs shall be in place no more than two hours prior to a function and removed no later than two hours after the function.

d. Club function signs shall not obstruct entrances, walkways, or parking areas.

(10) *Construction entrance and exit signs.* One sign identifying the entrance and one sign identifying the exit of a construction site shall be permitted on each construction site, subject to the following:

a. The area of each sign shall not exceed 24 square feet.

b. The height of each sign shall not exceed the minimum height necessary to be visible to incoming or outgoing traffic, as applicable.

c. Signs shall only be displayed during periods of active construction and shall be removed upon completion of the final City building inspection.

Section 13.20.120. Prohibited signs.

The following types of signs are prohibited unless specifically permitted in this chapter:

(1) Temporary signs not specifically allowed in this chapter.

(2) Signs that involve any person or animal.

(3) Signs that emit any noise.

(4) Balloons such as blimps, hot air balloons, or similar devices.

(5) Electronic message board signs.

(6) Signs that use florescent colors or paints.

(7) Neon signs displayed on the exterior of any property.

(8) Flashing, blinking, rotating, revolving, inflatable, or spotlight signs.

(9) Billboards.

(10) Off-site signs or similar signs used to advertise or promote a use or activity unrelated to the site upon which the sign is placed.

(11) Portable signs.

(12) Roof signs.

(13) Pole signs.

(14) Signs that display, imply, identify or advertise activities which are illegal under federal, state or local laws.

(15) Signs that display, imply, identify or advertise sexual or contain profane or nude copy.

(16) Signs that simulate or imitate in size, color, content, coloring or design any traffic signal, sign or device, or which makes use of the words "Stop," "Look," "Warning," "Caution," "Danger" or any other words, phrases, symbols or characters in a manner to interfere with, mislead or confuse traffic.

(17) Signs that are located on, attached to, extending into or over, or impeding any fire hydrants, legal fire lanes or City property, including but not limited to traffic signals, streetlights and utility poles.

(18) Signs that are unsafe or constitute a hazard to public health, safety or welfare by reason of design, location, condition or any other factor determined by the City Manager.

(19) Abandoned signs.

(20) Advertising device/display.

(21) Signs in outdoor restaurant seating areas, including copy on umbrellas.

Section 13.20.130. Exemptions.

Temporary signs erected, displayed or approved by the City (i) pursuant to a federal, state or local law, rule or agreement; (ii) relating to public safety, health or welfare; (iii) serving any directional, wayfinding, informational or decorative purpose and located on City-owned property; (iv) advertising a City-sponsored activity, special event or temporary use; or (v) relating to a public works or maintenance project are exempt from this chapter.

Section 13.20.140. Legal nonconforming signs.

(a) *Existing signs.* Signs legally existing prior to the effective date of this chapter shall not require compliance with this chapter until any of the following is true:

- (1) The sign violates the terms under which it was legally approved.
- (2) The sign is not properly maintained.
- (3) The sign is unsafe or constitutes a hazard to public health, safety or welfare.
- (4) The sign displays, implies, identifies or advertises any use or activity which is illegal under federal, state or local law.
- (5) Sign copy is changed, except for changeable copy signs provided that the new copy does not advertise or promote a use or activity unrelated to the site.
- (6) The sign is relocated.
- (7) The sign is removed or abandoned.
- (8) Over 50 percent of the actual value of the sign is damaged or destroyed. The City Manager shall determine whether a sign is damaged or destroyed beyond 50 percent of actual value based on the actual cost of replacing the sign.
- (9) Any City permit is requested to structurally or electrically expand the sign. Permits shall be issued contingent on the sign being brought into compliance.
- (10) Any City permit is requested for major expansion, alteration or remodel of the site, use or activity that the sign is related to. Permits shall be issued contingent on the sign being removed or brought into compliance.

(b) *Establishment of legal nonconforming status.* The burden of establishing a sign as legally nonconforming is the responsibility of the sign owner.

(c) *Compliance disclaimer.* Status as a legal nonconforming sign is not intended to be exclusive and shall not excuse noncompliance with any federal, state or other local laws, including but not limited to City permit requirements for alterations.

Section 13.20.150. Sign programs.

(a) *Purpose.* Sign programs provide incentive and latitude to achieve effectiveness, attractive appearance, compatible design and variety in permanent signage.

(b) *Generally.* The standards of this chapter related to permanent signs may be modified on a site-by-site basis, pursuant to a sign program approved by the City Council. A zoning variance approved by the City Council is required to approve prohibited or temporary signage that does not comply with this chapter.

(c) *Sign program required.* Sign programs shall be required for:

(1) Each new or remodeled commercial center, office complex, business park or similar multi-tenant site, regardless of parcelization.

(2) Each building that proposes any combination of three or more permanent signs or any permanent signage that would not comply with this chapter.

(3) Any sign proposal deemed necessary by the City Manager or this chapter.

(d) *Submission materials.* Applications for a sign program shall be accompanied by the following materials and the payment of fees established by resolution of the City Council:

(1) *Site plan.* A site plan, drawn to scale, delineating the site proposed to be included in the sign program and the location of all existing signs, proposed signs and means of illumination.

(2) *Building elevations.* Building elevations, drawn to scale, for each elevation with existing signs, proposed signs and means of illumination included.

(3) *Proposed signs.* Information describing the proposed signs, including area, dimensions, copy, material and means of illumination.

(4) *Landscape plans.* Plans, drawn to scale, showing the effect of the proposed signs on site landscaping or a signed letter stating no effect.

(5) *Property owner authorization.* If the property owner is not the applicant for the sign program, he/she shall submit a signed letter of authorization.

(6) *Supplemental information.* Supplemental information may be required to review and consider approval of the proposed sign program.

(e) *Findings.* The following minimum findings are required for sign programs:

(1) The proposed signs are well-designed, compatible with community character and harmonious with surrounding properties, buildings and streetscapes;

(2) The proposed signs are clear and legible in the circumstances in which they are seen;

(3) The proposed signs are appropriate to the type of business or activity to which they pertain; and

(4) The proposed signs are displayed in a manner that does not harm public health, safety and welfare.

Section 13.20.160. Enforcement.

(a) *Consecutive Violations.* Each day in which a violation occurs and each separate sign in violation of this chapter shall constitute a separate violation of this chapter punishable by fines or sentences issued in accordance herewith.

(b) *Illegal signs.* Any sign that does not have a required permit or otherwise violates this chapter shall be deemed illegal. If the City Manager determines a sign to be illegal, he/she may order the property owner and/or sign owner to remove the sign or may require such other actions to ensure compliance with this chapter.

(c) *Signs on City property.* The City Manager may remove any illegal signs on City property summarily and without prior notice. Illegal signs may be disposed if they are not claimed within five working days of removal.

(d) *Signs on private property.* The City Manager may order the property owner and/or sign owner to remove any illegal signs on private property or may require such other actions to ensure compliance with this chapter. Upon failure to comply with a removal order from the City Manager, the City Manager may exercise the nuisance abatement process described in this Code to remove illegal signs. Illegal signs may be disposed if they are not claimed within ten working days of removal.

(e) *Fees.* The City Council may establish by resolution fees as are necessary and reasonable to cover the cost of removing and storing illegal signs. Such fees shall be collected at the time of claim. The City Manager is authorized to use collection proceedings to recover uncollected fees after the claim period has ended.

(f) *Liability.* Neither the City nor any of its agents shall be liable for any damage to a sign which is removed under this section.

(g) *Non-exclusive Remedies.* Each and every remedy available for the enforcement of this chapter shall be non-exclusive and it is within the discretion of the City Manager to seek cumulative remedies. The remedies available to the City pursuant to this Code and chapter, including but not limited to removal authority, shall not limit the right of the City to seek any other remedy that may be available by law.