CHAPTER VIII. SIGNS
ARTICLE 1. PURPOSE AND SCOPE

Sec. 13-109. PURPOSE AND INTENT

The purpose of this chapter is to regulate the type, size and placement of signs on properties in the city in such a way as to balance the identification and communication needs of businesses with traffic safety and the needs of the citizens for a pleasant, uncluttered environment in which to live, work and play. It is the intent of this chapter to implement the goals of the General Plan to create and maintain an aesthetically pleasing and functional environment and to create an environment where business can succeed while being in harmony with other City goals.

Sec. 13-110. SCOPE

The scope of this chapter is limited to the physical regulation of on-site and off-site signs. This chapter does not limit the informational contents of a sign, nor does it limit the use of signs not visible from off site. This chapter does not regulate product displays, flags of any nation or of the State of California, governmental signs, or any display or construction not defined herein as a sign.

ARTICLE 2. GENERAL PROVISIONS

Sec. 13-111. DEFINITIONS

As used in this chapter, the following terms shall have the meanings set forth below:

Advertising statuary. An imitation, representation or similitude of a person or thing which is sculptured, molded, modeled, or cast in any solid or plastic substance, material, or fabric and used for commercial purposes.

Area (of sign). The area included within the outer dimensions of a sign. The area of multiple face signs and advertising statuary shall mean one-half the total surface area. In the case of "skeleton letters" or other signs placed on a wall without any border, the area shall be the sum of the areas of each letter or figure. The area of each letter or figure shall be computed by enclosing the letter or figure within sets of parallel lines.

Balloon sign. Any inflatable object having no dimension that exceeds 24 inches, including, but not limited to, objects made of plastic, cloth, rubber, or canvas, having the shape of any object, and regardless of whether or not it contains copy.

Banner, flag, or pennant. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes on private property and not within the public_right-of-way. Flags of a nation or of the State of California, displayed as such in an appropriate manner, are excepted from these regulations. See also **Street banner.**

Billboard. A sign that advertises a business, product, service or activity,which is not available at or is not conducted on the premises on which the sign is located.

Changeable copy sign. A sign whose copy consists of non-electronic detachable lettering or numbers that must be manually installed, usually on a series of parallel tracks, including, but not limited to, service station price signs and theater marquees.

Construction site sign. A sign located on a construction site used to identify the name of the future site occupant and which may include the names, addresses, and telephone numbers of businesses directly related to the construction project, including but not limited to the architect, engineer, contractor and financing entity.

Contiguous window area. Total surface area of a window or individual windowpanes separated only by vertical or horizontal mullions.

Convenience sign. A sign not larger than 9 square feet, providing directional information and designed to be viewed on site or adjacent to the site by pedestrians and/or motorists. The term convenience sign shall also include electronic time/temperature signs.

Electronic changeable copy sign. A sign that uses video displays, lamps, fiber optics, light emitting diodes (LEDs) liquid crystal displays, plasma displays, or any other mechanical or light emitting medium to convey messages, movement, or animation imagery during or between messages.

For sale sign. A real estate sign indicating that the premises on which the sign is located, or any portion thereof, is for sale, lease or rent.

Freestanding sign. A sign supported permanently upon the ground by poles, braces or other supports, and not attached to any building.

Governmental sign. A sign installed by the City or other public agency pursuant to City approval, including, but not limited to, signs for motorist or pedestrian safety.

Height (of sign). The vertical distance from grade to the highest point of the sign or sign structure.

Illegal sign. Any sign installed or modified in violation of the Costa Mesa Municipal Code at the time the sign was installed or modified.

Illumination - exterior. Illumination cast on a sign from an exterior source, such as a floodlight.

Illumination - interior. Illumination generated from the interior of a sign.

Illumination - interior with opaque background. Interior illumination of a sign where the background of the sign face is opaque and only the copy is illuminated.

Inflatable sign. Any inflatable object having any dimension in excess of 24 inches, including, but not limited to, objects made of plastic, cloth, rubber, or canvas, having the shape of any object, and regardless of whether or not it contains copy.

Mural or super graphic. A large image, picture, or design painted on or affixed to the exterior of a building or structure. A mural or super graphic is a sign only if it is related by language and/or logo to the advertisement of any product or service or the identification of any business.

Neighborhood identification sign. A sign identifying the entrance to a residential area consisting of 5 or more acres.

Nonconforming sign. A sign which was legally installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of this chapter.

Open house sign. A real estate sign with the words "Open House" as the primary copy for the premises on which the sign is located.

Painted wall sign. Any sign painted directly on the exterior surface of a building or structure, except awnings or canopies. (See "mural or super graphic".)

Permanent window sign. A sign that is placed on or behind a window for a period of time in excess of 60 days. Paper or cardboard signs, or signs painted directly onto the surface of a window, are not considered permanent window signs, regardless of the duration of display.

Political campaign sign. A sign indicating the name and/or picture of an individual seeking election to a public office, or concerning any issue, ballot measure or ballot proposition in a municipal, community, state or federal election, or pertaining to the advocating by persons, groups, or parties of political views or policies regarding a matter to be voted on in a forthcoming election.

Portable sign. Any sign which can be moved from place to place which is not permanently affixed to the ground or to a building. The term portable sign includes, but is not limited to, any sign affixed to an automobile, truck, trailer, or other vehicle where such sign solicits patronage to a specific business by means of parking such a vehicle primarily for the purpose of advertising such business. The term portable sign shall also include a sign posted in or on a vehicle parked on public or private property without written consent of the property owner, advertising that vehicle for sale.

Public baseball/softball field. Any baseball and/or softball field owned, rented, or leased by the City or used by the City under a joint use agreement.

Public property. Any building, park, grounds, structures, or other real property (collectively referred to as "property" for the purpose of this definition) owned, rented, or leased by the City not within the public right-of-way or any such property used by the City under a joint use agreement. For the purposes of this definition, public property does not include public baseball and softball fields.

Public right-of-way. Any public sidewalk, street, alley or highway improved to allow vehicular and pedestrian access and adjacent City landscape areas including trees therein, traffic control devices, street name signs, fire hydrants and other structures, under the ownership and jurisdiction of the City or the State.

Real estate sign. A temporary sign placed for the purposes of advertising the premises on which the sign is located as either for sale, lease or rent, and includes "for sale sign" and "open house sign".

Sign. Any medium for visual communication, including its copy, structure and component parts, which is used or intended to be used to attract attention to, or identify, or advertise a business, product, service, activity, or location or to provide information. "Sign" includes statuary and graphic wall designs used for advertising purposes. "Sign" includes billboards, but does not include handbills.

Site. One or more parcels of land identified by the assessor's records and for which an integrated building development exists or has been proposed.

Street banner. Any cloth, bunting, plastic, paper, or similar material used for advertising purposes on

a light standard within the public right-of-way.

Street. A public or private alley, street or highway improved to allow vehicular access.

Temporary window sign. A non-illuminated sign placed on or behind a window for a period of time not in excess of 60 days for the purpose of advertising special sales, prices, products or services, including paper or cardboard signs, or signs painted directly onto the surface of a window.

Sec. 13-112. PROHIBITED SIGNS

The following types of signs are prohibited in all zones:

(a) Signs which incorporate any flashing, moving, or intermittent lighting;
(b) Signs which by color, wording, design, location, or illumination resemble, obstruct, or conflict with any traffic-control device or with safe and efficient flow of traffic;
(c) Signs that create a safety hazard by obstructing the clear view of or passage of pedestrian and vehicular traffic;
(d) Banners, flags, and pennants except as authorized in Table 13-115;
(e) Street banners in the public right-of-way, except as authorized by Section 13-118;
(f) Signs projecting into or located in the public right-of-way, except governmental signs or other types of signs as authorized by Sections 13-123.5 and 127 or Chapter II of Title 19;
(g) Inflatable signs (and balloons) larger than 24 inches in any dimension;
(h) Portable signs, except as authorized by Section 13-123.5 and Table 13-115;
(i) Mechanical movement;
(j) Signs which project above a parapet or the highest point of the roof;
(k) Signs on public property; and
(l) Electronic changeable copy signs, except theater marquees and time/temperature signs.

ARTICLE 3. SIGN REGULATIONS

Sec. 13-113. GENERAL REQUIREMENTS

Unless otherwise provided in this chapter, erection, relocation or modification of all signs shall be in accordance with the requirements of this article, including the specific regulations listed in Table 13-115.

Sec. 13-114. PERMITS REQUIRED

Where indicated in Table 13-115 and Section 13-118 the erection, relocation, or modification of signs shall require permits and payment of fees as described in Article 7 Administration and Enforcement of this chapter. No permit shall be required under this chapter for maintenance of a sign or for change of copy on a changeable copy sign. The requirements of this chapter are in addition to the requirements of the Uniform Building Code, National Electrical Code and other applicable codes.

Sec. 13-115. SIGNS REGULATIONS AND DESIGN STANDARDS

Table 13-115 indicates the maximum allowed area, height, number, and other design restrictions for both permanent and temporary signs.

TABLE 13-115. SIGN REGULATIONS

PERMANENT SIGNS

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
TOTAL SIGN AREA PER STREET FRONTAGE	**Residential uses:** 1.0 sq. ft per unit, not to exceed 90 sq. ft. (25 sq. ft. minimum for sites with 4 or more units). **Permitted non-residential uses:** 30 sq. ft. for sites less than 1 acre. 45 sq. ft. for sites of 1 acre or more.	1.0 sq. ft. per ft. of lot width + 0.5 sq. ft. per ft. of lot depth		30 sq. ft. for sites less than 1 acre. 45 sq. ft. for sites of 1 acre or more.
	Total area of all permanent signs (freestanding signs and building signs) may not exceed TOTAL SIGN AREA PER STREET FRONTAGE. See Section 13-116 for commercial or industrial signs located within 200 ft. of residentially-zoned property.			
FREESTANDING SIGNS PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	1. Must be located in landscaped planter equal to twice the sign area. 2. May not obstruct visibility for motorists or pedestrians at driveways or intersections. 3. May not obstruct visibility of legal signs on adjacent site(s). 4. May not consist of a pole sign with a visible cylindrical pole structure(s). 5. Planning Division may require freestanding signs to incorporate street address if address on building is not visible from public streets: 6 inches high minimum in residential zones 8 inches high minimum in non-residential zones The address area, up to 6 sq. ft., is not counted against allowable sign area. Address must be integrated into the design of the sign and placed at such an elevation so as not to be obstructed by landscaping. 6. See Section 13-116 if located within 200 ft. of residentially-zoned property.			

TABLE 13-115. SIGN REGULATIONS

PERMANENT SIGNS (continued)

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
FREESTANDING SIGNS (continued)				
MAXIMUM AREA	30 sq. ft. (Includes both on-site and neighborhood identification signs.)	Total area of all freestanding signs may not exceed 50% of total allowed sign area per street frontage.		15 sq. ft. for sites less than 1 acre. 30 sq. ft. for sites of 1 acre or more.
MAXIMUM HEIGHT	7 ft.	12 ft.	7 ft.	
NUMBER & SEPARATION	300 ft. separation between freestanding signs on same site.			
ILLUMINATION	Exterior, or interior with opaque background. No flashing or blinking allowed.	No flashing or blinking allowed.		Exterior, or interior with opaque background. No flashing or blinking allowed.
VERTICAL CLEARANCE	8 ft. minimum clearance over pedestrian circulation areas. 16 ft. minimum clearance over parking and vehicular circulation areas.			

TABLE 13-115. SIGN REGULATIONS				
PERMANENT SIGNS (continued)				
	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
FREEWAY-ORIENTED FREESTANDING SIGNS				
PERMIT REQUIRED	Prohibited	Yes	Prohibited	
MAXIMUM AREA AND HEIGHT	N/A	For commercial properties of one acre or more, within 300 feet of a freeway exit: One freeway-oriented sign may be allowed, not to exceed 230 sq. ft. and 32 ft. high.	N/A	
ILLUMINATION	N/A	No flashing or blinking	N/A	
VERTICAL CLEARANCE	N/A	8 ft. minimum clearance over pedestrian circulation areas. 16 ft. minimum clearance over parking and vehicular circulation areas.	N/A	

TABLE 13-115. SIGN REGULATIONS

PERMANENT SIGNS (continued)

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
BUILDING WALL SIGNS PERMIT REQUIRED	Yes			
MAXIMUM AREA	Total area of all permanent building wall signage may not exceed TOTAL SIGN AREA PER STREET FRONTAGE.	Each single tenant may be allowed a maximum of 1.5 sq. ft. of building wall signage per lineal foot of building frontage of the business. If the building frontage of any such use is less than 25 lineal feet, only one sign, having a maximum area of 25 square feet, may be permitted.		
ILLUMINATION	Exterior, or interior with opaque background. No flashing or blinking allowed.	No flashing or blinking allowed.		Exterior, or interior with opaque background. No flashing or blinking allowed.
NUMBER	N/A	**Single tenant buildings:** A maximum of three wall signs per street frontage. **Multi-tenant buildings**: One wall sign per business on each street frontage. *Exception:* A tenant with more than 10,000 square feet of floor area in a multi-tenant building shall be permitted a maximum of three wall signs per business/street frontage. **Buildings with more than 2 stories and 30 feet in height:** No sign is permitted above the first floor of any building except for a single sign per street frontage on the uppermost portion of the building fascia identifying either the street address, name of the building, major tenant and/or logo. Street address up to 6 square feet per story shall not be counted toward allowable sign area.		N/A

TABLE 13-115 SIGN REGULATIONS (CONTINUED)				
PERMANENT SIGNS (continued) and TEMPORARY SIGNS				
	RESIDENTIAL	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
LOCATION	Signs may only be attached to a building wall abutting a public street or on-site parking area serving the subject building, unless otherwise approved by the Planning Division.			
VERTICAL CLEARANCE	Awning, canopy and projecting signs: 8 ft. minimum clearance over pedestrian circulation areas. 16 ft. minimum clearance over parking and vehicular circulation areas.			
MURALS AND SUPER GRAPHICS				
PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	Subject to approval by the Planning Division. The purpose of the Planning Division approval is to verify that it is not a sign.			
PAINTED WALL SIGNS				
PERMIT REQUIRED	Yes			
MAXIMUM AREA	Total area of all painted wall signs may not exceed 10% of total allowed sign area per street frontage.			
PERMANENT WINDOW SIGNS				
PERMIT REQUIRED	Yes			
MAXIMUM AREA	1. 20% of contiguous window area maximum. 2. Window sign area in excess of the above maximum may be permitted if it can be shown that the merchandise offered for sale cannot be adequately displayed and, therefore, justifies substitution of additional window signage for merchandise display, subject to written approval by the Planning Division or Zoning Administrator. Total of permanent and temporary window sign area shall not exceed 50% of contiguous window area.			
CONVENIENCE SIGNS				
PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	1. 9 sq. ft. maximum per sign. 2. Not counted against allowable sign area. 3. Placement and height subject to approval of Planning Division.			
SIGNAGE IN MIXED-USE OVERLAY DISTRICT	Refer to the appropriate Urban Plan for signage regulations in the mixed-use overlay district.			

TABLE 13-115 SIGN REGULATIONS (CONTINUED)				
TEMPORARY SIGNS				
	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
CONSTRUCTION SIGNS PERMIT REQUIRED	Yes			
DEVELOPMENT STANDARDS	1. One per street frontage. 2. 64 sq. ft. maximum. 3. 16 ft. high maximum. 4. Must be removed within 1 year after installation, or within 30 days of final inspection, whichever occurs first.			
REAL ESTATE SIGNS (No permits are required.)				
FOR SALE SIGNS	1. One per street frontage. 2. 5 sq. ft. maximum. 3. 6 ft. high maximum.	1. One per street frontage. 2. 32 sq. ft. maximum. 3. 12 ft. high maximum.		
OPEN HOUSE SIGNS	1. One per street frontage. 2. 3 sq. ft. maximum. 3. 5 ft. high maximum.	Prohibited		
POLITICAL CAMPAIGN SIGNS ON PRIVATE PROPERTY	5 sq. ft. maximum per sign. Subject to Section 13-123.	Subject to Section 13-123.		
PORTABLE SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY	Subject to Section 13-123.5.			
TEMPORARY SIGNS ON PUBLIC PROPERTY PERMIT REQUIRED	Subject to Section 13-118.1			

TABLE 13-115 SIGN REGULATIONS (CONTINUED)

TEMPORARY SIGNS

	RESIDENTIAL ZONES	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
TEMPORARY WINDOW SIGNS (No permits are required.)	Prohibited	1. 20% of contiguous window area maximum. 2. Window sign area in excess of the above maximum may be permitted if it can be shown that the merchandise offered for sale cannot be adequately displayed and, therefore, justifies substitution of additional window signage for merchandise display, subject to written approval by the Planning Division or Zoning Administrator. Total of permanent and temporary window sign area shall not exceed 50% of contiguous window area. 3. Time limit shall not exceed 60 days.		Prohibited
APARTMENT FLAGS (No permits are required.)	1. 1 per 60 ft. of lot frontage (minimum of 2). 2. 15 sq. ft. maximum. 3. 18 ft. high maximum. 4. Must be maintained in good condition; removed or replaced if torn, faded or dirty.	Prohibited		
OTHER FLAGS AND PENNANTS	Flags of a nation or the State displayed in an appropriate manner are allowed. Flags displaying products, logos and/or business names are prohibited. Pennants are prohibited.			
BALLOON SIGNS (less than 24 inches) (No permits are required.)	Prohibited	Allowed, subject to the following: 1. May not extend beyond any property line or over any public right-of-way, regardless of wind conditions. 2. Must be securely anchored. 3. May not be released into the air. 4. Metallic balloons are prohibited.		Prohibited
INFLATABLE SIGNS (over 24 in.)	Prohibited			

TABLE 13-115 SIGN REGULATIONS (CONTINUED)

TEMPORARY SIGNS (continued)

	RESIDENTIAL	COMMERCIAL ZONES	INDUSTRIAL ZONES	INSTITUTIONAL ZONES
BANNERS ON PRIVATE PROPERTY PERMIT REQUIRED. MAXIMUM AREA	0.5 sq. ft. per unit. Maximum area: 100 sq. ft. per site.	0.5 sq. ft. per lineal foot of building frontage facing the street. Minimum entitlement: 25 sq. ft. per tenant. Maximum area: 75 sq. ft. per tenant.		
TIME LIMITS	A maximum display time of 60 days per calendar year. Exception: For residential developments of 100 units or more, a maximum display time of 120 days per calendar year.			
DEVELOPMENT STANDARDS	1. The entire surface of the banner must be securely affixed to either a building wall of the business being advertised (the building wall must abut a public street or on-site parking area serving the business being advertised), or to the sign face of a freestanding sign. 2. May not be attached to any staff, pole, line, framing, vehicle or similar support. 3. May not project above roof. 4. Must be maintained in good condition; removed or replaced if torn, faded or dirty. 5. Limit one banner per tenant or building occupant on each street frontage maximum. 6. Banners are permitted only as a means of temporary advertisement, such as for new businesses, grand openings, or similar special events, and may not be used as permanent signs. 7. Prior to the installation of a banner, a permit shall be obtained from the Planning Division. A city-issued decal shall be attached to face of the banner in the lower right-hand corner. The banner and any support elements shall be promptly removed at the expiration of the banner permit.			
BANNERS WITHIN THE PUBLIC RIGHT-OF-WAY	See Sec. 13-118 Street Banners			
BANNERS ON PUBLIC BASEBALL AND/OR SOFTBALL FIELDS PERMIT REQUIRED	Subject to Section 13-118.2			

Sec. 13-116. SIGNS ADJACENT TO RESIDENTIAL ZONES

In commercial and industrial zones, all signs located within 200 feet of residentially-zoned property shall conform to the following restrictions:

(a) Freestanding signs shall be limited to 7 feet in height unless non-illuminated or placed in such a location that visibility from residentially-zoned property within 200 feet is completely obscured by permanent structures on the commercially- or industrially-zoned property.

(b) Building signs shall be placed no higher than the first story level unless non-illuminated or located so as not to be visible from residentially-zoned property within 200 feet.

(c) Signs that do not comply with the requirements of paragraphs (a) and (b) above may be authorized as part of a Planned Signing Program, if the Zoning Administrator finds that the proposed sign(s) will not have adverse visual impacts on residentially-zoned property within 200 feet.

Sec. 13-117. MAINTENANCE OF PERMANENT SIGNS

All signs shall be maintained in a safe, structurally sound condition and in good repair at all times. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. Defective, damaged or substantially deteriorated signs may be ordered to be repaired or abated as provided for in applicable codes and ordinances.

Sec. 13-118. STREET BANNERS

Special event banners and holiday banners may be placed in the public right-of-way after obtaining the necessary approval as required by the applicable City Council Policy.

Sec. 13-118.1. TEMPORARY SIGNS ON PUBLIC PROPERTY

(a) **Applicability.** The placement of temporary signs on public property shall be limited to only those signs that advertise City-sponsored or City-permitted events or activities. As used in this section, these include, but are not limited to, events or activities of Youth Program User Groups 1 and 3, as defined in the Athletic Field/Facility Use and Allocation Policy.

(b) **Permit Required.** Temporary signs for City-sponsored events may be placed on public property after obtaining the necessary permit from the Recreation Manager.

(c) **Standards.**

(1) **Acceptable Temporary Sign Location:** Signs may be placed only on a building wall or perimeter wall or fence of the public property. The sign shall not project above the building parapet or the highest point of the roof or above the perimeter wall and/or fence. The sign shall not be attached to any staff, pole, line, framing, vehicle, or similar support.

(2) **Illumination:** The sign shall not be illuminated.

(3) **Maximum Size:** The total signage shall not exceed 80 square feet, and individual signs shall not exceed 40 square feet.

(4) **Number of Signs:** Limit one temporary sign per User Group per street frontage at any given time.

(5) **Installation:** The entire surface of the sign must be securely fastened to the building or perimeter wall and/or fence.

(6) **Maintenance Required:** The applicant shall maintain all signs in good condition, and the applicant shall remove or replace any sign that is torn, faded, dirty, or defaced, including by graffiti.

(7) **Installation Period:** Temporary signs may be displayed a maximum of 30 days. Specific dates and time for the signs' installation and removal may be subject to change by the City in order to minimize impacts to the public.

(8) **Sign Removal:** All signs that are not removed by the applicant by the approved removal date shall constitute a public nuisance subject to summary removal by the City.

Sec. 13-118.2. BANNERS ON PUBLIC BASEBALL AND SOFTBALL FIELDS

(a) **Applicability.** Only Youth Program User Groups 1 and 3 shall be able to request approval to install banners on a public baseball or softball field that has been permitted for their use by the City. Youth Program User Groups 1 and 3 are defined in the City of Costa Mesa Athletic Field/Facility Use and Allocation Policy.

(b) **Permit Required.** Banners may be placed on public baseball and/or softball fields after obtaining the necessary permit from the Recreation Manager.

(c) **Standards.**

(1) **Acceptable Banner Location:** Banners shall <u>only</u> be displayed on the field's outfield fence and shall only face the field's interior.

(2) **Banner Composition:** Banner copy and/or logos shall be limited to one side of the banner, and the banner shall be made of durable cloth, bunting, plastic, or similar material.

(3) **Maximum Size:** Individual banners shall not exceed 40 square feet.

(4) **Installation:** The banner's surface must be tautly and securely fastened to the outfield fence of the field by a minimum of four contact points.

(5) **Maintenance Required:** The applicant shall maintain all banners in good condition, and the applicant shall remove or replace any banner that is torn, faded, dirty or defaced, including by graffiti.

(6) **Installation Period:** Banners shall be installed no sooner than seven days prior to the baseball and/or softball season's commencement and shall be removed within seven days of the season's close. Specific dates and time for the banners' installation and removal may be subject to change by the City in order to minimize impacts to the public.

(7) **Banner Removal:** All banners that are not removed by the applicant by the approved removal date shall constitute a public nuisance subject to summary removal by the City.

Sec. 13-119. BILLBOARDS

The area of any billboard that was legally erected before October 6, 1984, shall not be included in the calculation of sign area for the site on which it is located until any new building is placed or constructed on that site, after which the calculation of sign area shall include the area of all billboards on the site, regardless of time of construction.

ARTICLE 4. SPECIAL PROCEDURES

Sec. 13-120. PLANNED SIGNING PROGRAMS

Signs may be authorized as part of a Planned Signing Program even if they do not conform to all specific regulations contained elsewhere in this chapter. A Planned Signing Program is intended to provide maximum incentive and latitude to encourage variety and good design, and to allow response to special circumstances, but shall not be used to circumvent the objectives of this chapter.

(a) To encourage consistency of design and regulation, an association of similar businesses may submit a Planned Signing Program for a number of non-contiguous sites.

(b) **Procedure**. A Planned Signing Program shall be processed as a minor conditional use permit in accordance with provisions contained in CHAPTER III PLANNING APPLICATIONS.

(c) **Review Standards.** A Planned Signing Program may be approved only if the following findings are made:

(1) The proposed signing is consistent with the intent of this chapter and the General Plan.

(2) The proposed signs are consistent with each other in design and construction - taking into account sign style and shape, materials, letter style, colors and illumination.

(3) The proposed signs are compatible with the buildings and developments they identify - taking into account materials, colors and design motif.

(4) Approval does not constitute a grant of special privilege or allow substantially greater overall visibility than the standard ordinance provisions allow.

ARTICLE 5. NONCONFORMING SIGNS

Sec. 13-121. DETERMINATION OF LEGAL NONCONFORMITY

An existing sign which does not conform to the specific provisions of this chapter may be eligible for the designation "legal nonconforming" and may continue to be used and maintained, including change of copy, provided that:

(a) The sign was installed in conformance with a valid permit and complied with all applicable laws and ordinances on the date it was installed.

(b) The sign is properly maintained and does not in any way endanger the public.

Sec. 13-122. LOSS OF LEGAL NONCONFORMING STATUS

(a) A legal nonconforming sign may lose this designation if:

(1) The sign is removed or relocated for any period of time except to be replaced by a new sign of the same type which reduces the nonconformity by at least 50 percent;

(2) The structure or size of the sign is altered in any way except to reduce its nonconformity by at least 50 percent; or

(3) The sign is damaged or destroyed by any means to an extent of more than 50 percent of its total replacement cost.

(b) When a legal nonconforming sign loses this designation, it shall be brought into conformance with the provisions of this chapter or removed from the site within 90 days.

(c) Per Section 5491.1(e) of the Business and Professions Code, any amendment to Chapter VIII of Title 13 applies only to new on-premises advertising displays as defined in Business and Professions Code Section 5490.

Sec. 13-122.1. ELECTRONIC CHANGEABLE COPY SIGNS

Existing, legal nonconforming electronic changeable copy signs shall, no later than September 1, 2002, be modified so that no message or display shall contain movement or animation, nor be displayed for a duration of less than four seconds.

ARTICLE 6. POLITICAL CAMPAIGN SIGNS

Sec. 13-123. POLITICAL CAMPAIGN SIGNS

(a) Any person, party, entity, or group posting political campaign signs within the boundaries of the City shall first file a statement with the City Clerk designating the person or entity responsible for posting the political campaign signs in the City and liable for the estimated actual cost of removal of the political campaign signs to ensure compliance with the provisions of this ordinance, and such statement shall certify to the City Clerk that consent has been obtained from the owners, lessees or occupants of non-publicly owned real property prior to placement of political campaign signs thereon. Only one political campaign sign statement is required of any party or group, regardless of the number of individuals posting signs on its behalf.

(b) All political campaign signs shall be removed not later than 10 days following the date of any election to which they pertain, if any.

(c) No political campaign sign shall be placed or posted on any public property or utility pole, except on or within a public right-of-way pursuant to the provisions of Section 13-123.5 Portable Signs within Public Right-of-Way.

(d) No political campaign sign shall be lighted, either internally or externally.

(e) No political campaign sign shall be placed in a manner that would obstruct visibility to pedestrian or vehicular traffic.

ARTICLE 6.5 PORTABLE SIGNS WITHIN PUBLIC RIGHT-OF-WAY

Sec. 13-123.5 PORTABLE SIGNS WITHIN PUBLIC RIGHT-OF-WAY.

(a) **Standards.** A portable sign may be placed on or within the public right-of-way without a permit, provided it complies with the following requirements:

(1) **Size and height.** The maximum size shall not exceed five square feet and the maximum height shall not be more than three feet above grade.

(2) **Identification**. The owner of the sign(s) shall affix its name, address and telephone number to the sign prior to installation of the sign.

(3) **Location.** The location for installation of a portable sign within the public right-of-way shall be subject to the following:

a. The sign may be placed in any landscaped parkway but not within the center median of any street or highway. Tree wells shall not be considered a landscaped parkway for the purposes of this section;

b. The sign shall not overhang any street, curb, sidewalk, or driveway;

c. The sign shall not be within 15 feet of any fire hydrant;

d. The sign shall not be within 15 feet of the edge of any driveway nor within 15 feet of any intersection of an alley, street, or highway, as measured from the midpoint of the corner radius;

e. The sign shall not be placed within the public right-of-way adjacent to any property zoned I & R, or I & R-S;

f. The sign shall not be affixed to traffic control devices, government signs, light standards, utility poles, bus shelters, or other structures, posts, fences, shrubs or trees.

(4) **Installation.** The installation of the portable sign shall not cause damage to the public right-of-way;

(5) **Time period**. A portable sign shall only be displayed during the time period between 6 a.m. on Friday to 6 p.m. on Sunday of any week period.

(6) **Number.** The total number of portable signs per owner or its agent pursuant to this section shall not exceed 10 signs in the city at any one time.

(b) **Exceptions.** The requirements of this section shall not apply to a portable sign with a total area of not more than five square feet that is carried by a person within the public right-of-way unless prohibited by Section 13-112.

ARTICLE 7. ADMINISTRATION AND ENFORCEMENT

Sec. 13-124. APPLICATION FOR PERMITS

Application for a permit for the erection, relocation or modification of a sign shall be made to the Development Services Department on forms provided, and shall be accompanied by plans and other necessary information as required by the Development Services Department.

Sec. 13-125. FEES

Fees for sign permits and Planned Signing Programs shall be established by resolution of the City Council.

Sec. 13-126. SIGNS RELATING TO INOPERATIVE ACTIVITIES

When a business or activity is no longer in operation on a site, all signs relating to the activity shall be removed, or copy obliterated, within 60 days after the activity has vacated the premises.

Sec. 13-127. SIGNS PROHIBITED ON PUBLIC PROPERTY OR PUBLIC RIGHT-OF -WAY REMOVAL; ABATEMENT COST RECOVERY

(a) **Prohibition.** Except as provided in Sections 13-118 and 13-123.5 and Chapter II of Title 19, no person shall erect, place, paint, mark, or display or cause to be erected, placed, painted, marked, or displayed any sign in, under, on or over any public property or on or within any public right-of-way with respect to which the City has jurisdiction. As used in this section, "person" means a natural person, association, partnership, firm, corporation, or trust or the employee or agent thereof. A violation of this section may be prosecuted as a criminal violation pursuant to Section 1-33, or be subjected to civil fine pursuant to Section 1-34, et seq. Criminal prosecution or imposition of civil fine shall not preclude, nor be precluded by, abatement of such signs or parts thereof pursuant to this section.

(b) **Removal.** Any sign posted in violating of the provisions of this section may be removed by any employee of the City duly authorized to do so by the Development Services Director. The owner of a seized sign will be given notice by the City within 10 days of the seizure in those cases where the name and address or other means of contact are provided upon the seized sign. The notice will indicate the seizure and the owner's right to a hearing and recovery of the sign. An owner who files a request for a hearing within 15 days of the seizure shall be given a hearing by the Director within 10 days of such request to determine if the seized sign was posted in violation of this section and/or if any abatement costs imposed are unreasonable. If at a hearing it is determined the sign was not posted in violation of this section, the owner may recover the sign without any cost or other charge for the removal. If a sign is not claimed by an owner by the end of 15 days after seizure nor is a hearing requested, the City may dispose of the sign without further notice.

Failure of the City to give or failure of the owner to receive notice of the seizure shall not subject the City or any of its officers or employees to any civil liability or invalidate any other action taken pursuant to this section.

(c) **Exception.** The provisions of this section shall not prohibit the posting of any notice in the manner required by law or by the order of any court of this state.

(d) **Court Action.** The City Attorney is authorized and may institute an action in any court of competent jurisdiction to restrain, enjoin, or abate any sign(s) found to be in violation of this chapter and as provided by law.

(e) **Abatement Cost Recovery.** Any sign posted in violation of the provisions of this section is a public nuisance. The owner of an illegally posted sign and the person or entity responsible for posting the sign shall be jointly and severally civilly liable and indebted to the City for the reasonable cost of removal and storage of the seized sign which shall be in addition to any other civil or criminal penalty

provided by law. The Development Services Director may determine and assess these costs. The City may require payment of these costs prior to returning a sign to an owner, unless a hearing has determined there was no violation or modifies the amount of the costs. The Development Services Director is authorized to recover abatement costs of less than $5,000.00 in any lawful manner and may initiate a small claims court action to recover such costs.

Sec. 13-128. ENFORCEMENT

It shall be unlawful to construct, erect, install, alter, modify or maintain a sign except in compliance with the provisions of this chapter. The provisions of this chapter shall be enforceable, and violations shall be punishable, pursuant to Sections 13-16 and 13-127 and Section 1-33 et seq. of this Code.