

ORDINANCE NO. 710 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
 AMENDING ORDINANCE 613NS (SIGNS) OF THE ZONING CODE
 TO MAKE PROVISIONS FOR THE RE-USE OF EXISTING POLE SIGNS
 (CITY INITIATED)

WHEREAS, at its meeting of February 6, 1996 the City Council directed staff to initiate the consideration of an amendment to the City's Sign code to make provisions for the re-use of existing pole signs within the community, and

WHEREAS, in response to a request from a local business for the City to consider permitting temporary advertising in the form of airborne signs (e.g. blimps), that request was made part of the discussion on this same code amendment, and

WHEREAS, at its meeting of March 11, 1996 the Planning Commission took public testimony regarding this ordinance, and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. In accordance with the California Environmental Quality Act, considered a proposed Negative Declaration, and made a recommendation that the City Council adopt a Negative Declaration; and
- d. Recommended that the City Council adopt an ordinance amending the Sign Ordinance to make provisions within the code to permit the re-use of existing pole signs in certain circumstances; and
- e. Recommended that the City Council not approve the use of blimps and other airborne advertising as permitted signage; and

WHEREAS, at its meeting of April 2, 1996, the City Council held a public hearing on this item, continued the open public hearing to April 16, 1996, and directed staff to return with revised ordinance wording to further define the circumstances under which pole signs can be re-used, relating to change in the nature of a business activity;

WHEREAS, at its meeting of April 16, 1996, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Based on the scope and nature of the proposed code change, found that the proposed ordinance would not have a significant effect on the environment and adopted a Negative Declaration in accordance with the California Environmental Quality Act; and
- d. Considered the Commission's recommendation from the Planning Commission's March 11, 1996 public meeting; and
- e. Introduced said ordinance for first reading, and

WHEREAS, on May 7, 1996 the City Council held second reading of said ordinance.

ABJ660

NOW, THEREFORE, the City Council of the City of El Paso de Robles does ordain as follows:

To adopt this ordinance to amend the zoning code regulations for Signs adopted by Ordinance 613N.S. by amending Chapter 21.19 (Signs) with the following text (**amended text shown in italicized and underline font**).

Item I:

21.19.020 Definitions.

- a. ARC: Architectural Review Committee.
- b. Awning Sign: An identification sign that is painted or applied to the face, valance, or side panel of an awning or canopy.
- c. Banners: Temporary signs generally made of flexible materials, usually cloth, canvas, or vinyl plastic that identify businesses or activities, or advertise products, services, or special events.
- d. Billboard: An off-premise sign used for a commercial purpose designed for changing copy.
- e. Bench Sign: A sign located on a bench or similar structure on or near a public way.
- f. Construction Site Sign: A sign on the construction site stating the name and address of those individuals or firms directly connected with a construction project, and/or the name of the owner or future user of the site.
- g. Directional Signs: Signs that are limited solely to directional messages such as "one way", "entrance", "exit". Directional signs do not contain any message that identify businesses or activities or that advertise products or services. (Exception: Real Estate Directional Signs may identify property or development projects.)
- h. Existing Pole Sign: Means a sign which is typically mounted on an elevated pole (or poles), greater than 6 feet in height, and which was legally established through a sign permit or other recognized form of City authorization.*
- i. Flags and Pennants: Temporary signs generally made of flexible materials, usually cloth, paper or plastic. They may or may not contain copy and are primarily intended to draw attention. This definition does not include flags of any nation, state, or political subdivision.
- j. Freestanding Sign: A sign that has its own support structure placed on or in the ground and is not attached to a building.
- k. Garage/Yard Sale Sign: A sign placed on the same property as a garage/yard sale.
- l. Hanging Sign: An identification sign hung from sidewalk coverings or other building projections.
- m. Height: The height of any sign shall be measured from the average ground level adjacent to the base of the sign to the highest part of the sign. Where signs are placed on earth berms, raised planters, or similar features, the ARC may interpret the height to include all or a portion of such a feature.
- n. Highway-Oriented Sign: A freestanding sign exceeding six (6) feet in height, located on designated properties near the intersections of State Highways 101 and 46, that identifies tourist-oriented businesses such as gasoline service stations, restaurants, motels, and regional commercial uses.

ABJ660

- o. **Icon Sign:** An identification sign that consists of an image or design usually constructed of metal or wood that illustrates by its shape the nature of the business within. Icons are pedestrian-oriented signs.
- p. **Identification Sign:** Any sign referring to the name, service, or trade of a business or activity located on the same property as the sign. Such sign shall not include the listing of specific products or services or of specific brand names of products or services offered for sale unless the product, service, or brand name is incorporated into the name of the business.
- q. **Illuminated Sign:** A sign for which an artificial source of light is used to make the message readable. This definition shall include internally and externally-lighted signs and reflectorized, glowing, or radiating signs.
- r. **Master Sign Program:** A uniform design for signage within multi-tenant centers.
- s. **Monument Sign:** A freestanding identification sign not exceeding six (6) feet in height and 32 square feet in area, set on an architecturally-integrated base structure.
- t. **Multi-tenant Center:** A commercial, office, or industrial building or complex of buildings that accommodate three or more tenants (businesses or activities). Multi-tenant centers may be located on a single lot or on several lots that were developed under a master development plan.
- u. **Mural:** An advertising art form such as a painting, picture, or graphic illustration applied to and made part of an exterior wall.
- v. **Non-conforming Sign:** A sign which was legally-established prior to the effective date of this Chapter and which does not conform to the provisions therein. Signs that have been established without the benefit of City approval are considered illegal signs.
- w. **Off-Premise Sign:** A sign which promotes a business, activity, product, or service available on property other than that on which the sign is located, or which directs the public to a business or activity on another property.
- x. **Political Sign:** A non-illuminated sign indicating the name and/or picture of any candidate for public office, or relating to a current public election, or referendum.
- y. **Portable Sign:** A sign which is capable of being carried or readily moved from one spot to another and which is not permanently attached to the ground or to a building or structure. Portable signs include, but are not limited to: "A" or "T"-frame signs, balloons and inflatable objects, signs mounted on trailers or meant to be transported by wheels, umbrellas used for advertising.
- z. **Projecting Sign:** An identification sign mounted from the building perpendicular to the plane of the building surface. Projecting signs are oriented to vehicular traffic.
- aa. **Public Facility Directional Sign:** An off-premise sign that directs the public to a government facility.
- ab. **Public Safety Sign:** A sign determined by the director of public works as necessary for public safety or convenience.
- ac. **Public Service Sign:** A temporary non-commercial sign posted to advertise or provide direction to a civic event or project sponsored by the city, a school, church, civic-fraternal organization or similar nonprofit organization.
- ad. **Real Estate Sign:** A non-illuminated sign that identifies properties or buildings or tenant spaces that are for sale, rent, or lease on the same property on which the sign is located.
- ae. **Real Estate Directional Sign:** An off-premise real estate sign that directs the public to properties or buildings that are for sale, rent, or lease.

af. **Roof Signs:** An identification sign supported by, attached to, or projecting through the roof of a building or higher than the eave line or parapet wall of a building.

ag. **Sign:** A sign is any physical form of visual communication that is intended to be viewed from outdoor public areas. The definition of a sign shall include all parts, portions, units and materials composing same, together with illumination, frame, background, structure, support and anchorage thereof. Objects and architectural features that function as signs are considered signs and are subject to regulation pursuant to this Chapter.

This definition shall not apply to the following:

- (1) Official notices authorized by a court, public body or public office;
- (2) Directional, warning or information signs authorized by federal, state, or municipal authority for public safety, health, and welfare.
- (3) Signs for City-sponsored events and/or City Council-authorized events.

ah. **Sign Area:** The surface space within a single continuous perimeter containing words, letters, figures, or symbols, together with any frame or material forming an integral part of the display but excluding support structures, face of building, and incidental parts not drawing attention to the subject matter. Any sign area on the reverse side of an approved double-faced sign shall not be included in a computation of sign area, provided that the side excluded from sign area computation is no larger than the reverse side. For window signs, the sign area shall include any background for sign messages that is applied directly to or immediately behind the window (e.g. paint, paper, cloth).

ai. **Temporary Sign:** A sign intended for short-term use, with or without frame, whether displayed on a building or elsewhere on a property. Temporary signs include, but are not limited to, banners, flags and pennants, and portable signs. This definition does not include garage/yard sale signs, real estate signs, construction site signs, and political signs.

aj. **Vehicle-Mounted Sign:** Signs used for a commercial purpose on or affixed to automobiles, trucks, trailers, or other vehicles used primarily to support or display such signs while parked on public or private property, other than for the purpose of lawfully making deliveries of sales of merchandise or rendering services from such vehicles. "This definition does not include signs advertising the sale of the vehicle to which it is affixed."

ak. **Wall-Mounted Sign:** An identification sign mounted on an exterior wall of a building. If no alternative space is available for adequate identification, the ARC may consider a sign mounted on a block wall or fence as a wall mounted sign, provided that the block wall or fence is an integral part of the site architecture and not simply a device for sign display.

al. **Window Sign:** Any sign painted or applied to window glass or hanging within the interior window perimeter.

Item II:

Section 21.19.070(C) - Freestanding Signs:

1. Number of Signs and Sign Messages:

a. **Single Business or Activity Per Lot:** Freestanding signs that identify one or two businesses or activities on a lot shall be limited to no more than one such sign per street on which the lot has frontage.

b. **Multi-tenant Centers:** Freestanding signs that identify a multi-tenant center shall limit the sign copy to the name of the multi-tenant center. The ARC may permit the placement of a multi-tenant center identification sign at each entrance drive into a street.

c. Service Stations: Price signs shall be incorporated into the freestanding signs and shall not exceed 24 square feet in area and 6 feet in height and shall comply with state law.

2. Sign Area and Height: Except for Highway-Oriented Signs meeting the locational criteria established in subsection 5 below, and special provisions for re-use of certain existing pole signs as provided for in subsection 3 below, all freestanding signs shall be monument signs that do not exceed thirty-two square feet in area and six feet in height. Height limits include the architecturally integrated base/foundation of a sign, measured from the highest adjacent ground level. These signs size limitations apply to directory signs that combine on and off-site identification.

3. Re-Use of Existing Pole Signs: Existing Pole Signs, as defined by this chapter, may be refaced with new sign text provided that all of the following criteria are met:

a. The pole sign is located outside of the City's historic downtown district as defined by the adopted Main Street Design Guideline District boundaries (excepting those properties along Riverside Avenue, east of the Railroad tracks);

b. The pole sign is not located along the Spring Street corridor;

c. The change in sign text does not reflect a change in the nature of the business activity (a change in ownership, corporate logo, or signage design would be permitted);

d. The Signs size and/or height is not increased;

e. A sign permit is first obtained from the Development Review Committee.

4. Location:

a. No sign, pole, or base of a support structure for a monument sign shall be placed within the public right-of-way.

b. Freestanding signs shall not be placed in any location that would obstruct motorists' clear view of pedestrian and vehicular traffic.

c. Wherever possible, freestanding signs shall be located within landscaped areas.

5. Highway-Oriented Signs:

a. Highway-oriented signs are subject to approval of a conditional use permit and may only be placed in commercial zoning districts, on those properties near the intersections of State Highways 101 and 46 specifically indicated on Figure 21.19-1.

b. Conditional Use Permits for highway-oriented signs shall only be approved for those signs that identify tourist-oriented businesses such as gasoline service stations, restaurants, motels, and regional commercial uses.

c. The Planning Commission or ARC may require minimum clearances beneath a highway-oriented sign where necessary to protect the public health and safety.

6. Residential Zones:

a. In residential zoning districts, monument signs may be used as follows:

(1) To identify a subdivision or apartment project. Where a subdivision or apartment project has been required to construct an 8 foot high masonry wall for noise attenuation purposes, an identification sign may be incorporated into