

ORDINANCE NO. 713 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
REPEALING ORDINANCE 710.N.S. AND
AMENDING CHAPTER 21.19 (SIGNS) OF THE ZONING CODE (TITLE 21)
TO CORRECT SIGN CHAPTER TEXT
(CITY OF PASO ROBLES)

WHEREAS, on April 16, 1996, the City Council adopted Resolution 96-44, establishing a negative Declaration status for Code Amendment 96001 (relating to the re-use of pole signs), and

WHEREAS, on April 16, 1996 the City Council had first reading, and on May 7, 1996 the City Council had second reading, of Ordinance 710 N.S. with the purpose and intent of establishing parameters for the re-use of pole signs within the community, and

WHEREAS, the wording contained in Ordinance 710 N.S. accomplished the Sign Code Chapter revision regarding pole signs as intended, but also inadvertently modified other sections of that same Chapter with outdated sign code text, and

WHEREAS, upon discovering the error, Code Amendment 96004 was initiated to present appropriate sign chapter text corrections, and

WHEREAS, a public hearing was conducted by the City Council on June 18, 1996 to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment, and

WHEREAS, this ordinance will repeal ordinance 710 N.S., adopted by the City Council on April 16, 1996, and

WHEREAS, the new ordinance is consistent with the environmental initial study conducted for Code Amendment 96001 and no additional environmental determination is required with this code amendment, and

WHEREAS, the corrected ordinance will still provide for the re-use of pole signs as originally intended upon the conclusion of the April 16, 1996 City Council meeting, but will also re-instate the corrected wording of the sign chapter as previously adopted and intended by Council, and

WHEREAS, this code amendment would apply to all zoning districts, and

WHEREAS, at its meeting of June 18, 1996, the City Council gave first reading to this ordinance, and

WHEREAS, at its meeting of July 2, 1996, the City Council gave second reading to this ordinance, and

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This ordinance does not conflict with the spirit and intent of the City's General Plan.

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Section 21.19.070(F) - Political Signs: Political signs shall conform to the following regulations:

1. In residential zoning districts, they shall not exceed 32 square feet in area and shall be subject to the following height limits:
 - a. They shall not exceed a height of 3 feet within the required front yard setback and, for corner lots, the required setback for the side yard abutting a street;
 - b. Outside of the setback areas mentioned above, they shall be 6 feet or less in height;
2. In all other zoning districts, they shall be 6 feet or less in height and 32 square feet or less in area;
3. They shall not be placed earlier than 90 days prior to an election and shall be removed no later than 7 days following an election;
4. They shall not be placed in the public right-of-way or on public property;
5. They shall not be the type of sign prohibited by Section 21.19.070, subsections H1 through H7.
6. They shall not be located within 100 feet of any polling place.

Section 21.19.070(G) - Use of Public Right-of-way:

Placement of signs within or projection of signs into the right-of-way of a public street is prohibited except for the following types of signs:

1. Public safety signs and off-premises directional signs for public facilities;
2. Hanging, Icon, or projecting signs that conform to the requirements set forth in section 21.19.070.B;
3. Temporary signs related to and during City-sponsored and City Council-authorized events and then in accordance with any conditions set by temporary use permit to protect the public health and safety.
4. Kiosk real estate directional signs as provided in section 21.19.070.E.6.
5. Off-premises signs and billboards approved by the City Council.

Section 21.19.070(H) - Prohibited Signs:

The following signs and/or sign structures are prohibited:

1. Signs or sign structures which by color, wording, or location resemble or conflict with any traffic control sign or device;
2. Signs that create a safety hazard by obstructing clear view of pedestrian and vehicular traffic;
3. Signs that rotate, move, glare, flash, change, reflect, blink, or appear to do any of the foregoing including electronic message boards; (Exception: signs which display time and temperature may be permitted by the DRC.)
4. Signs that identify a business or activity no longer located at a premises;

- 5. Bench signs;
- 6. Signs on public property, except when authorized by the appropriate public agency;
- 7. Temporary signs other than those listed under section 21.19.070.D;
- 8. Off-premise signs except for real estate directional signs, temporary signs, directory signs and public facility directional signs in conformance with this chapter;
- 9. Vehicle-mounted signs, as defined by Section 21.19.020.

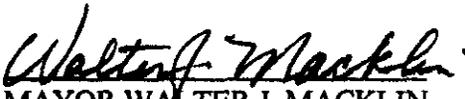
PASSED AND ADOPTED THIS 2nd day of July, 1996 by the following roll call vote:

AYES: HEGGARTY, MARTIN & MACKLIN

NOES: IVERSEN & PICANCO

ABSENT: NONE

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 MAYOR WALTER J. MACKLIN

ATTEST:



 RICHARD J. RAMIREZ, CITY MANAGER / CITY CLERK

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NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that the Paso Robles Municipal Code is hereby amended as follows:

SECTION 1. Repeal of Previous Ordinance. This ordinance shall repeal ordinance 710 N.S. adopted by the City Council on April 16, 1996.

SECTION 2. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

SECTION 4. Inconsistency. If any part of this Ordinance is held to be invalid for any reason, such decision shall not effect the validity of the remaining portion of this Ordinance, and this Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

SECTION 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

SECTION 6. Chapter 21.19 (Signs). The following noted Sections are hereby amended to read as follows):

ITEM I:

Section 21.19.020 Definitions.

- a. **Architecturally integrated base:** A support structure of a monument sign that is constructed from materials compatible with the building or development.
- 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. **Directory Signs:** Freestanding or wall mounted signs that list the occupants of a multi-tenant structure regardless of use. Directory signs may be approved for on- or off-site locations.
- i. **DRC:** Development Review Committee.

- j. **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.
- k. **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.
- l. **Freestanding Sign:** A sign that has its own support structure placed on or in the ground and is not attached to a building.
- m. **Garage/Yard Sale Sign:** A sign placed on the same property as a garage/yard sale.
- n. **Hanging Sign:** An identification sign hung from sidewalk coverings or other building projections.
- o. **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 DRC may interpret the height to include all or a portion of such a feature.
- p. **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.
- q. **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.
- r. **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 a listing of more than two (2) specific products or services, or of specific brand names of products or services offered for sale, subject to approval of the DRC.
- s. **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.
- t. **Master Sign Program:** A uniform design for signage within multi-tenant centers.
- u. **Monument Sign:** A freestanding identification sign not exceeding six (6) feet in height, including base, and 32 square feet in area, set on an architecturally-integrated base structure.
- v. **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.
- w. **Mural:** An advertising art form such as a painting, picture, or graphic illustration applied to and made part of an exterior wall.
- x. **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.
- y. **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

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business or activity on another property. Directory signs located on a parcel separate from the business they identify are a type of off-premise sign.

z. 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.

aa. 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.

ab. Projecting Sign: An identification sign mounted from the building perpendicular to the plane of the building surface. Projecting signs are oriented to vehicular traffic.

ac. Public Facility Directional Sign: An off-premise sign that directs the public to a government facility.

ad. Public Safety Sign: A sign determined by the director of public works as necessary for public safety or convenience.

ae. Public Service Sign: A temporary non-commercial sign posted to advertise or provide direction to a civic event or project sponsored by a school, church, civic-fraternal organization or similar nonprofit organization.

af. 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.

ag. 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.

ah. 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.

ai. 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.

aj. 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).

ak. **Temporary Sign:** A sign intended for short-term use, with or without frame. 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.

al. **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.

am. **Wall-Mounted Sign:** An identification sign mounted on an exterior wall of a building. If no alternative space is available for adequate identification, the DRC 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.

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

Item II:

Section 21.19.070 City-Wide Sign Design Standards and Regulations.

This section establishes design standards for all signs, regardless of their location in the City.

Section 21.19.070(A) - General Design Standards:

1. Signs shall utilize materials, colors, and design motifs that are compatible with the architecture and color of the buildings on-site. The DRC may require signs to be in conformance with other adopted design guidelines such as those prepared for the Main Street Area and the Redevelopment District Subareas or others that may be subsequently adopted.
2. Sign messages for identification signs shall be limited to identification of the business or the primary type of activity conducted on the premises.
3. Signage for an establishment within a multi-tenant center shall be in harmony with the signing of the entire center. The theme of such signage shall be approved as a part of the master sign plan during the review of the precise plan for the center. For all master sign programs, the property owner shall designate a person or firm as the primary liaison with the City. The City is under no obligation to approve multi-tenant signs that include all tenants.
4. Signage shall be designed in scale and proportion to the building it serves in a manner that will create visual balance.
5. Signs shall be designed in a manner compatible with surrounding signs that conform with the City's sign ordinance and applicable design guidelines.
6. In the case of applications for conditional use permits for occupancy of existing buildings or sites or for architectural review for either a facade renovation or change in a portion of a property's signage, the Planning Commission or DRC may impose conditions to require that any existing incompatible and/or non-conforming signs be removed or brought into conformance according to the amortization schedule set forth in Section 21.19.090. Such conditions may include a schedule or phasing plan for bringing such signs into conformance. Said schedule will become part of the sign permit approval.

7. On-site landscaping shall be designed so that it does not significantly impair the visibility of signs within commercial or industrial centers.
8. Sign colors and materials shall compliment the colors and architecture of the building. The DRC may determine certain colors to be inappropriate for the site, district, or neighborhood. (e.g. In general, stark white, fluorescent or garish colors are not permitted; only off-white shades are permitted.)
9. All illuminated signs shall be designed in such a way as to avoid undue glare or reflection of light on private property in the surrounding area.
10. Backlighting and high intensity lights should be avoided. Instead use lighting directed at the sign and placed in the least visible manner possible.
11. Monument and icon signs are encouraged as effective and attractive modes of signage that enhance community appearance and reduce visual clutter.

Section 21.19.070(B) - Wall-mounted, projecting, hanging, icon, awning, and roof signs:

1. **Sign Area limits:** For any building or tenant space frontage, the total maximum sign area for all signs including wall-mounted, projecting, hanging, awning, and roof signs, but excluding freestanding and icon signs, shall not exceed one (1) square foot of sign area for every linear foot of building with street frontage.

Subject to DRC approval, the allowable sign area may be applied on any side of a building provided that the total square footage of all signage shall not exceed the sign area limits for the building.

2. **Awning Signs:** Awning signs shall be painted or applied flat against the awning surface.
3. **Clearance and Projection Limits:** Icon, projecting, and hanging signs shall have a minimum vertical clearance of 8½ feet from a public or private sidewalk or a driveway. When placed beneath or above an awning or canopy, they shall not extend beyond half the distance of the awning or canopy projection. When placed above a sidewalk, they shall extend no further than half of the sidewalk width or five feet, whichever is less.
4. **Icon and Projecting Signs:** Icon and projecting signs shall conform with the following standards:
 - a. They shall be attached at right angles to a building;
 - b. They shall have no more than two faces;
 - c. They shall be limited to a maximum area of 15 square feet, with a maximum vertical dimension of three feet.
 - d. If an icon is used as a bracket, the bracket is to be included in figuring total signage area.
5. **Window Signs:** Window signs shall cover no more than 30% of the total glass area of the window on which they are placed.
6. **Roof Signs:** Roof signs shall not project above the highest ridge or parapet.

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Section 21.19.070(C) - Freestanding Signs:**1. Number of Signs and Sign Messages:**

a. Number of Businesses or Activities Per Lot: Freestanding signs that identify one or two businesses or activities shall be limited to no more than one sign per street frontage.

b. Multi-tenant Centers: Freestanding signs that identify a multi-tenant center (three or more tenants) shall limit the sign copy to the name of the multi-tenant center. The DRC may permit one multi-tenant center identification sign per street frontage. The Planning Commission may provide for one multi-tenant directory sign. The directory sign may be located off-site if it is determined by the Planning Commission that because of unique land use or property ownership patterns that such a directory sign is necessary, reasonable, and would avoid what could otherwise be a proliferation of individual user signs.

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, 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 sign 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

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of State Highways 101 and 46 specifically indicated on Figure 21.19-1 set out at the end of this chapter.

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 DRC may require minimum clearances beneath a highway-oriented sign where necessary to protect the public health and safety.

6. **Billboards:** On private property, subject to approval of a conditional use permit. On public property, owned in fee or easement, the city council may approve billboards and other off-premises signs designed to provide public information relative to goods and services available within the city without the need for a conditional use permit.

7. **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 such a wall provided that the top of the lettering or symbols do not exceed 6 feet.

(2) To identify a use for which a conditional use permit has been approved (e.g. church).

8. **Regional Commercial Zones:**

a. Freestanding signs are subject to approval in conjunction with an associated development plan application. In the absence of a discretionary development application, the sign(s) would be subject to approval by the development review committee (DRC).

b. The number, size, and height of freestanding signs for a regional commercial center are to be designed in appropriate scale and proportion to the center and in accordance with parameters to be established by resolution of the city council.

Section 21.19.070D (Temporary Signs): Temporary signs shall comply with the following conditions:

1. **Type and Location Limitations:** Temporary signs are limited to banners that are placed on the surface of existing buildings. No other temporary signs are permitted.
2. **Number of Signs Permitted:** A maximum of one temporary sign per street frontage, with a maximum of two temporary signs per business. More than two temporary signs shall require a sign permit to be approved by the development review committee (DRC).
3. **Sign Size and Area:** The sign area for temporary signs shall not exceed one square foot per linear foot of building or tenant space frontage.
4. **Design Standards:** "Day-glow" and fluorescent colors are prohibited. Lettering must be of professional quality, done in uniform, readily legible characters. Signs shall be constructed of materials that can withstand outdoor weather conditions.

(i.e., from materials such as cloth, canvas, or vinyl plastic, but not from paper or cardboard).

5. **Time Limits:** (a) Each business or activity shall be limited to placing temporary signs on no more than six separate occasions per calendar year. Each such occasion shall be limited to no more than thirty consecutive days and shall be separated from other occasions by a period of not less than thirty days. (b) In addition to the temporary signs permitted by (D)(5)(a) of this section, the development review committee may approve the use of temporary signs for ongoing/recurring events.

Exception to temporary sign regulations. Upon approval of a temporary use permit, during the first thirty days that a new business is open, there are no limitations on the size, location and nature of temporary signs as long as said signs do not adversely impact the public health, safety or welfare.

6. **Public Service Signs:**

Public service signs may be approved by the city council for specific time periods and for specific locations on either public or private property based on a finding that the proposed sign(s) provide a public service and do not have an adverse impact on community appearance. Public service signs shall be limited to thirty-two square feet in area and six feet in height.

Section 21.19.070(E) - Real Estate Directional Signs:

Real Estate Directional Signs are subject to the following conditions:

1. They shall not exceed 6 feet in height and/or 32 square feet in area;
2. DRC approval is required for the number, location, size, height and design of such signs; except for the following instances:
 - (a) Where only one real estate directional sign is placed on a privately-owned parcel; and
 - (b) The real estate directional sign is 6 square feet or less in area in residential zoning districts and 8 square feet or less in area in commercial and industrial zoning districts;
3. Written consent of the owner of the property on which the real estate directional sign is to be placed;
4. Posting of a bond or other security of no less than \$100.00 per sign, to be approved by the City Planner to ensure the removal of such signs;
5. Real estate directional signs shall be removed within six months of the date of Development Review Committee approval. The DRC may grant successive six month renewals of permits to place real estate directional signs if requests for such renewals are made in writing and submitted to the Planning Division prior to the expiration date of a permit.
6. The City may authorize the establishment of a "kiosk" type of real estate directional sign program in which several signs directing the public to different properties may be placed on a single support structure, provided that the signs are of a uniform size and design. Such a program may allow kiosks to be placed either on private property or in the public right-of-way and to be exempt from the requirements of subsections E(1) - E(5).