

ORDINANCE NO. 730 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTION 21.19.070 OF THE MUNICIPAL CODE
(CODE AMENDMENT 97005)

WHEREAS, the City has initiated Code Amendment 97005 to revise the regulations contained within Municipal Code Section 21.19.070 pertaining to wall-mounted and projecting/icon signs; and

WHEREAS, the Land Use Element of the General Plan and the Economic Strategy call for the City to take measures to revitalize the downtown, the latter specifically calling for measures to "Facilitate the development of more entertainment opportunities in the downtown"; and

WHEREAS, at its meeting of June 10, 1997, the Planning Commission 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. Did not recommend that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting of June 17, 1997, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendation of the Planning Commission regarding this code amendment;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- d. Based on the information contained in the Initial Study, the City Council found that there would not be a significant impact on the environment as a result of the code amendment and adopted a Negative Declaration in accordance with the California Environmental Quality Act.

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 code amendment is consistent with the City's General Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 21.19.070 of the Municipal Code hereby amended to read as shown in the attached Exhibit A.

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.

ABJ657

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.

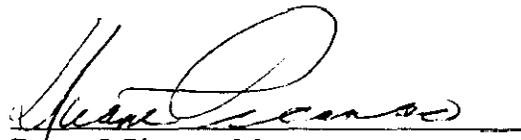
The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 4. Inconsistency. To the extent that the terms of provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

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.

Introduced at a regular meeting of the City Council held on June 17, 1997, and passed and adopted by the City Council of the City of El Paso de Robles on the 1st day of July, 1997, by the following roll call vote, to wit:

- AYES: Baron, Iversen, Macklin, Swanson, and Picanco
- NOES: None
- ABSENT: None
- ABSTAIN: None


 Duane J. Picanco, Mayor

ATTEST:


 Madelyn Paasch, City Clerk

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ABJ657

EXHIBIT A - REVISED SECTION 21.19.070

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.

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 signage 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.

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.

Exception: Within the downtown area described as the geographical area bounded by 7th Street on the south, 17th Street on the north, Oak and Vine Streets on the west and State Highway 101 on the east, as shown on Figure 21.22-4, the maximum allowable sign area shall be based on both public street and alley frontages. The maximum sign area for any building side shall not exceed one square foot for every linear foot of street or alley frontage. A building side with no frontage on a street or alley may receive the sign area allotment for an opposite building side that has street or alley frontage, provided that the maximum sign area on the building side that has street or alley frontage is reduced proportionately. Multi-tenant buildings may allocate any portion of a frontages' maximum allowable sign area to any one specified tenant, even if the frontage of the specified tenant's space is less than the corresponding sign area. Other tenant uses' maximum sign areas must then be reduced accordingly.

ABJ657

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 eight and one-half (8½) feet from a public or private sidewalk or a driveway. All signs shall comply with applicable Building and Fire Codes.
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 twenty-five (25) square 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 thirty percent 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.

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 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 twenty-four (24) square feet in area and six (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 (C)(5) of this section, all freestanding signs shall be monument signs that do not exceed thirty-two (32) square feet in area and six (6) 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.

ABJ657

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 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:** In residential zoning districts, monument signs may be used as follows:
- a. To identify a subdivision or apartment project. Where a subdivision or apartment project has been required to construct an eight (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 six (6) feet.
 - b. 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.

D. Temporary Signs. Temporary signs shall comply with the following conditions:

1. **Type and Location Limitations:** Temporary signs are limited to:
 - a. Banners that are placed on the surface of existing buildings, subject to the provisions of this section;
 - b. Inflatable signs, subject to a Temporary Use Permit.

No other temporary signs are permitted.
2. **Banner Signs:**
 - a. **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).
 - b. **Sign Size and Area.** The sign area for temporary signs shall not exceed one (1) square foot per linear foot of building or tenant space frontage. Sign size and area limitations would not apply to inflatable signs.
 - c. **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).
 - d. **Time Limits.**
 - (1) 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.
 - (2) In addition to the temporary signs permitted by (D)(2)(d)(1) of this section, the development review committee may approve the use of temporary signs for ongoing/recurring events.

3. **Inflatable Signs:** Subject to securing a Temporary Use Permit, inflatable signs (c.g. blimps and balloons) may be temporarily permitted subject to meeting the following criteria:
- a. The applicant's business is located on a site/parcel of 2 acres or greater. (A freestanding parcel which is part of a larger multi-tenant center which is located on a site of 2 acres or larger would meet this criteria).
 - b. A multi-tenant center in excess of two (2) acres is considered a single site.
 - c. The maximum number of cumulative days that the inflatable advertising may be displayed, per site, shall be ninety (90) days within any calendar year. The ninety (90) day maximum shall apply to the sum of all businesses in a multi-tenant center (the number of days that each individual tenant uses an inflatable sign shall count towards the total for the center).
 - d. No more than one inflatable sign shall be permitted at any given time per site and/or multi-tenant center.

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.

4. **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 (32) square feet in area and six (6) feet in height.

E. Real Estate Directional Signs. Real Estate Directional Signs are subject to the following conditions:

1. They shall not exceed six (6) feet in height and/or thirty-two (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 six (6) square feet or less in area in residential zoning districts and eight (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 one hundred dollars (\$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) through E(5) of this section.

F. Political Signs. Political signs shall conform to the following regulations:

1. In residential zoning districts, they shall not exceed thirty-two (32) square feet in area and shall be subject to the following height limits:
 - a. They shall not exceed a height of three (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 six (6) feet or less in height;
2. In all other zoning districts, they shall be six (6) feet or less in height and thirty-two (32) square feet or less in area;
3. They shall not be placed earlier than ninety (90) days prior to an election and shall be removed no later than seven (7) days following an election;

ABJ657

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 one hundred (100) feet of any polling place.

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.

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.

ABJ657