

ORDINANCE NO. 302

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS, CALIFORNIA, AMENDING CHAPTER 17.59 "SIGNS" OF THE DEL REY OAKS MUNICIPAL CODE

WHEREAS, the City's sign ordinance is over 20 years old;

WHEREAS, amendments to the sign ordinance are necessary to clarify the language therein, as well as to bring the ordinance up to date; and

WHEREAS, enactment of this ordinance is not subject to the California Environmental Quality Act (CEQA) as it is not a project pursuant to Guidelines Section 15378 because it has no potential for resulting in physical change to the environment directly or indirectly. If this action is found to be a project under CEQA, it is exempt under CEQA Guideline 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Del Rey Oaks, California as follows:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The text set forth in existing Chapter 17.59 of the Del Rey Oaks Municipal Code entitled, "Signs" shall be amended by the addition of all text shown in bold, italic underscored text (***bold, italic***), and deletion by strikethrough (~~strikethrough~~) as follows:

CHAPTER 17.59 – SIGNS

17.59.010 - Purpose and intent.

It is the purpose and intent of this Chapter to provide the City of Del Rey Oaks with a viable and practical set of sign regulations that will: promote the orderly growth of the community; facilitate the continual upgrading of the community; preserve the natural beauty of Del Rey Oaks while simultaneously protecting the rights of property and business owners to display signs and the right of individuals to live, work and visit a city that is free from the usual blight that would result from under-***regulation*** or non-regulation of signs.

These sign regulations, pursuant to the provisions of the Del Rey Oaks General Plan, set forth the minimum acceptable standards necessary to protect and safeguard the life, peace, health, safety, property and general welfare of the public by regulating among other things the

location, placement, size, number, area, type, illumination and maintenance of signs and sign structures.

In addition to the standards specified above, it is hereby set forth that a primary goal of these regulations shall be to insure that signs and sign structures are considered in light of the architectural and landscape design of the buildings and properties along with individual setting or location of the buildings and properties; and to avoid visual clutter and out of scale impacts.

17.59.020 - Application.

No sign shall be placed, displayed, painted, posted, printed, tacked, fastened, erected, relocated, **or** constructed ~~or otherwise~~ except as provided in this Chapter.

17.59.030 - Responsibility.

It shall be the sole responsibility of the person making application to place, construct, erect, alter, relocate, tack, fasten, paint, post or display any sign in the City of Del Rey Oaks to obtain the necessary authorization from the owner or lessee of the property.

17.59.040 - Planning commission approval required.

Planning Commission approval shall be required of all signs unless otherwise specified in this Chapter. A fee shall be collected by the City Clerk prior to consideration of any sign by the Planning Commission. The fee shall be established from time to time by Resolution of the City Council.

In order to facilitate the Planning Commission approval process, any person seeking to obtain Planning Commission approval shall submit accurate plans, scale drawings, color boards, examples of materials or any such other information specified by the City Manager showing the size, shape, location, color, materials and physical relationship to the site of the sign and sign structure. Any decision of the Planning Commission may be appealed, in writing, to the City Council within 20 days of the decision.

During the course of review and approval, the Planning Commission or the City Council on appeal may approve, disapprove, conditionally approve, or modify the plans as submitted in order to ensure compliance with the spirit and intent of this Chapter.

17.59.050 - Sign permit required.

In order to ensure that the Planning Commission is provided with an opportunity to review the placement, construction, erection, relocation or alteration of any and all signs in the City of Del Rey Oaks, it is required, unless otherwise specified herein, that a sign permit shall be obtained from the City Clerk prior to the placement, construction, relocation, alteration or otherwise erection of the sign.

Any person seeking to obtain a sign permit shall provide the City Clerk with any and all necessary detailed plans, scale drawings or other materials and samples or information required by the City Clerk along with written evidence that Planning Commission approval has been obtained for the sign. Following a review of the materials and design submitted, the City Clerk may issue the sign permit or, if appropriate shall, require that a Building Permit be obtained pursuant to the provisions of the Uniform Building Code (UBC) in lieu of a sign permit. A fee shall be collected by the City Clerk prior to the issuance of any sign or building permit. The fee shall be the same as for a minor use permit and shall be established from time to time by Resolution of the City Council. The fee for a building permit shall be as specified in the **City's Master Fee Schedule**. ~~UBC.~~

17.59.060 - Enforcement.

The regulations contained in this Chapter shall be enforced as are other zoning, building and safety regulations as set forth in the Del Rey Oaks Municipal Code, **which may include, without limitation, enforcement pursuant to Chapters 1.16 and 1.19.**

Any sign not in compliance with this Chapter is hereby declared to be a public nuisance and may be abated pursuant to the provisions of Sections 8.28.050 through 8.28.200, or pursuant to state law.

Each sign installed, created, erected, or maintained in violation of this Chapter shall be considered a separate violation.

17.59.070 - Remedies.

Notwithstanding, the procedures for enforcement set forth in the Del Rey Oaks Municipal Code, the City of Del Rey Oaks is hereby authorized to **enforce this Chapter** ~~proceed~~ in any other fashion, way, or procedure permitted by law.

17.59.080 - Exemptions.

The provisions and regulations of this Chapter shall not apply to the following signs **should the stated conditions be met. However, the following signs shall be subject to all safety provisions contained in this Chapter. Should the stated conditions not be met, Planning Commission review and a sign permit are required.** ~~provided, however, that the following signs shall be subject to all safety provisions contained in this Chapter:~~

- ~~A. Official signs and notices, public utility signs, public directional signs;~~
- ~~B. Professional nameplates not exceeding three square feet in area;~~
- ~~C. Temporary (30-day) signs of a directional nature approved by the City Manager;~~
- ~~D. Emergency, public service or other temporary (30-day) non-advertising signs as approved by the City Council;~~

~~E. Memorial signs on tablets, names and dates of buildings when cut into any masonry surface or when flush mounted and constructed of bronze or other noncombustible materials;~~

~~F. Freestanding mailboxes designating the name and address of the person serviced by the mailbox;~~

~~G. Signs placed by the City of Del Rey Oaks.~~

<i>Exempt Sign</i>	<i>Conditions</i>
<i>Address Signs, Including in Mailboxes</i>	<i>Maximum letter height of 12 inches and maximum area of 4 square feet</i>
<i>Building Identification Signs</i>	<i>Names and dates of buildings maximum letter height of 18 inches and maximum area of 5 square feet</i>
<i>Ancillary Information Signs</i>	<i>Maximum aggregate area of 3 square feet</i>
<i>Construction Site Signs</i>	<i>Maximum aggregate area of 20 square feet per street frontage</i>
<i>Government Signs</i>	<i>Traffic control signs</i>
	<i>Transit signs not exceeding 3 square feet</i>
	<i>Street identification signs</i>
	<i>Utility signs</i>
	<i>Signs on City property for City civic events, services, and direction</i>
<i>Temporary Private Party Signs During Construction Projects that</i>	<ul style="list-style-type: none"> <i>Permitted only during periods of construction in adjacent right-of-way; the signs must be removed immediately upon restoration of</i>

Exempt Sign	Conditions
are Placed in the Adjacent Right-of-Way	<p>traffic flow on the affected right-of-way construction zone</p> <ul style="list-style-type: none"> • The lot or parcel on which the business is located must be immediately adjacent to the right-of-way construction zone • Temporary signs are limited to 1 per business, per street front and are limited to 20 square feet in area and can be no more than 5 feet in height • Any signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by • No illumination
Temporary Private Party Signs on Private Property	Temporary signs displaying a noncommercial (e.g., ideological, religious, political) message
	Maximum aggregate area of 16 square feet per individual sign and 80 square feet cumulative total area for all temporary signs on a property
Interior Signs	Any sign not visible from another lot of record or from a public right-of-way
No Trespassing/No Parking Signs	Must be posted in compliance with Federal, State and local laws
Parking Lot Signs	Maximum area of 3 square feet per sign and maximum of 1 sign per 3 parking spaces
Personally Attended Signs in Traditional Public Forum Areas	Temporary signs may be displayed daily from 7:00 a.m. until 9:00 p.m., except on occasions when the City Council or other public body with offices in the City is holding a public hearing or meeting. On such occasions, the display period is extended to 30 minutes after such meeting is officially adjourned

Exempt Sign	Conditions
	<p data-bbox="602 302 1294 411"><i>The maximum size of any 1 sign is not to exceed 32 square feet, and the height is not to exceed 10 feet as measured from the ground</i></p> <p data-bbox="602 485 1271 554"><i>The maximum distance between a person and a personally attended sign is 5 feet</i></p> <p data-bbox="602 627 1289 888"><i>In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by</i></p>
Real Estate Signs	<p data-bbox="602 947 1138 980"><i>Maximum of 1 sign per street frontage</i></p> <p data-bbox="602 1041 1052 1075"><i>Maximum area of 12 square feet</i></p>
Signs Required by Federal or State Law	<p data-bbox="602 1134 1284 1243"><i>Signs required for compliance with the Americans with Disabilities Act (ADA), California Coastal Act, etc.</i></p>
Handheld Signs in Traditional Public Forum Areas	<p data-bbox="602 1302 1273 1608"><i>Temporary signs may be displayed daily, in traditional public forum areas, from 7:00 a.m. until 9:00 p.m., except on occasions when the City Council or other public body with offices in the City is holding a public hearing or meeting. On such occasions, the display period is extended to 30 minutes after such meeting is officially adjourned</i></p> <p data-bbox="602 1669 1183 1703"><i>Maximum aggregate area of 6 square feet</i></p> <p data-bbox="602 1764 1278 1873"><i>In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular</i></p>

Exempt Sign	Conditions
	<i>traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by</i>
Window Displays	<i>A window display is an arrangement of merchandise, including graphics and text, that is at least 18 inches in depth and is displayed in a building window</i>
	<i>Must be 4 square feet or less to be exempt</i>

17.59.090 - Nonconforming signs.

Any permanent sign lawfully existing prior to the adoption of ***the ordinance codified in*** this Chapter and not conforming to the provisions ***of the ordinance codified*** contained in this Chapter is declared to be a lawfully ***legal*** nonconforming sign and may remain as such.

No such nonconforming sign shall in any way be altered, relocated, replaced or reworded unless the sign can be made to conform to all provisions of this Chapter. Nothing in this section shall be construed to prohibit the normal maintenance and repair of lawfully nonconforming signs.

Failure of City staff to notify the property owner and/or the operator of a non-conforming sign does not authorize the continued use of the sign or release the property owner and/or operator from compliance with this section.

17.59.100 - Maintenance and construction provisions.

A. Applicable Standards. The appropriate sections of the Uniform Building Code (UBC), the Uniform Electric Code (UEC) or any amendment thereto adopted by the City of Del Rey Oaks shall apply to the construction, placement, or display, ***maintenance, and repair*** of signs in the City of Del Rey Oaks. ***All signs shall be installed and maintained indefinitely as shown on the approved plans, unless a formal request for revision or alteration is approved by the Planning Commission. Signs and sign structures shall at all times be maintained in a state of good repair including all braces, bolts, structural parts, supporting frames and fastenings.***

B. Prohibited Construction. All signs having internal or built-in illumination shall be constructed wholly of noncombustible materials or other such fire resistive materials as approved by the Planning Commission. Guide wires or exposed strut-like sign structures shall

not be utilized. ~~Signs and sign structures shall at all times be maintained in a state of good repair including all braces, bolts, structural parts, supporting frames and fastenings.~~

C. Sign Removal. *When wall mounted signs are removed, the wall behind the sign shall be repaired and painted to match the rest of the wall within thirty (30) days of the date of the removal.*

D. Regular Maintenance. No permit shall be required for repainting, cleaning or other normal maintenance and repair of a sign unless the structure, design, size, color location or character is altered.

E. Duration and Extension. *If a building permit has not been granted within two (2) years of the date of approval of the sign permit or if a sign not requiring a building permit has not been installed within two (2) years of the date of approval of the sign permit, the sign permit approval shall be null and void, unless extended by the Planning Commission. Requests for an extension shall be made in writing a minimum of ten (10) days prior to the expiration date.*

F. Where possible, signs should encourage and enhance a village-like atmosphere with the emphasis being on the use of wood signs and avoiding the use of signs made from single-use plastic products, as appropriate.

17.59.110 - Safety provisions.

In addition to all other maintenance and construction provisions contained in this Chapter, all signs within the City of Del Rey Oaks shall comply with the following provisions:

A. Obstructions to doors, windows or fire escapes. ~~¶~~**No** sign shall be erected, relocated, altered, maintained or otherwise so as to prevent ingress to or egress from any door, window or fire escape or in violation of the Uniform Fire Code. No sign shall be attached to a standpipe, gutter, drain or fire escape, except signs referring specifically to the standpipe, gutter, drain or fire escape to which it is attached.

B. Signs not to obstruct traffic signals. ~~¶~~**No** sign regulated by this Chapter shall be erected at any location where, by reason of its position **or design**, it will obstruct or confuse the view of any authorized traffic sign, signal or device.

C. Exterior of signs. ~~On~~**No** all signs which are erected within five feet of a public street or sidewalk, ~~no~~ nails, tacks, or wires shall be permitted to protrude **from any sign** therefrom. All structural trim maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure.

D. Signs shall not extend into the runway protection zone **of the Monterey Regional Airport** in such a manner as to interfere with the purposes of that zone.

17.59.120 - Abandoned signs and abatement thereof.

A. No person shall maintain or permit to be maintained on any premises owned or controlled by said person any sign which has been abandoned. Any such sign shall be

promptly abated. Any sign which is located on property which becomes vacant for a period of six months or more, and any sign which was erected for an occupant or business unrelated to the present occupant or his business and any sign which pertains to a time, event or purpose which no longer pertains, shall be presumed to have been abandoned **after a lapse of thirty (30) days. Any such sign shall be deemed a public nuisance and shall be removed within thirty (30) days by the owner of the property on which the sign is located.**

B. Unless some other form of abatement is approved by the City Manager in writing, abatement of abandoned signs shall be accomplished in the following manner:

1. Signs painted on buildings, walls, fences or structures shall be abated by removal of the paint constituting the sign or by painting over the sign, **in a color matching the existing background**, in such a way that the sign shall not thereafter become visible.
2. Other types of signs may be abated by removal of the sign including its dependent structures and supports, unless the sign conforms to the provisions contained in this Chapter in which case all faces of the sign shall be screened from view in a manner satisfactory to the City Manager.

C. Upon failure of any person to remove a sign as required herein, the City Manager, or their delegate, is hereby expressly authorized to enter upon private property to effect such abatement, and it shall be unlawful for any person to interfere with, hinder or refuse to allow entrance upon private property for such purpose. The cost of such abatement shall constitute a lien upon the property and shall bear interest at the rate established by the City Council from the date a notice of lien is filed in the office of the County Recorder.

17.59.130 - Illumination of signs.

All illuminated signs in the City of Del Rey Oaks shall comply with the following standards:

- A. The use of high intensity, unshielded or undiffused lights shall not be permitted.
- B. Lights or illumination shall be shielded, oriented or diffused so as to eliminate undue glare onto adjacent properties.
- C. Lights shall be shielded or diffused in such a manner as to eliminate the possibility of conflict with safe traffic movement.
- D. The Planning Commission, and City Council, on appeal, shall retain the right to require reduction in the intensity of illumination after the installation of any illuminated sign if said illumination creates any undue glare, annoyance or hazard.

17.59.140 - Abatement of signs on public property and signs presenting health or safety hazards.

A. Signs on Public Property. **Unless specifically provided for in this Chapter, No** sign may be placed in or upon any public right-of-way, the exterior of any public building, any

public grounds or property thereon, any public utility pole or appurtenance thereof, wherever located, or any tree on public property. **Any sign installed or placed on public property, including signs within the public right-of-way that do not comply with the requirements of this Chapter, shall be forfeited to the public and subject to immediate confiscation. When a temporary sign is confiscated by city staff from public property, staff shall notify the campaign of record within seven days of confiscating the sign and afford the campaign the opportunity to retrieve the sign. If the campaign has not retrieved the sign within ten days of notice, the city may dispose of the signs. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign, including any administrative staff costs and attorneys' fees incurred to enforce this Chapter.** ~~Any such sign may be summarily removed and impounded by the Police Chief or City Manager or their respective delegates.~~

B. Signs on Private Property Presenting Health or Safety Hazards. No sign may be placed upon any property in a manner which creates a public health or safety hazard. Any sign placed on, above or adjacent to any street, sidewalk or right-of-way which creates a health or safety hazard through obstructing vision or use of such street, sidewalk or right-of-way may be summarily removed by the Police Chief or City Manager or their respective delegates. Any sign so removed shall be returned to the owner upon payment of the costs of removal and storage. Any sign placed on or about private property which creates a health or safety hazard, including obstructing vision in the public right-of-way, may be removed by the Police Chief or City Manager or their respective delegates to a position on the private property where it does not create a health or safety hazard.

C. Impounded Signs. Any sign impounded under the provisions of subsections (A) or (B) above shall be stored for a period of not less than 30 days at which time the signs may be salvaged, sold or destroyed in order to defray the costs of removal and storage. The person responsible for the placement of such sign shall be liable for the cost incurred in the removal and storage of the sign and the Police Department and City Clerk are authorized to **effect** the collection of said cost.

D. Noticing Sign Owners. If the person who owns a sign which has been removed pursuant to this section can be identified, the City official who has removed said sign shall notify that person of the reasons the sign has been removed, the location of the sign and the procedures for the return of the sign.

17.59.150 - Definitions.

Ancillary Information Signs. Small signs generally used in commercial business including, but not limited to, information regarding credit cards, property management, hours of operation, OPEN, etc. Also, small signs generally posted for non-commercial and informational purposes, including, but not limited to, security signs, "beware of dog" signs, "no trespassing" signs, and "no solicitation" signs.

~~I. Official **Government** Signs and Notices.~~ Signs and notices placed by public officers or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in federal, state, or local law for the purposes of carrying out an official duty or responsibility. ~~Historical markers authorized by state law and placed by state or local governmental agencies or nonprofit historical societies shall be considered as official signs.~~

Personally Attended. Means that a person is at all times physically present within five (5) feet of a Temporary Sign displaying a noncommercial (e.g., political, ideological, religious) message.

~~D. Primary Business Frontage.~~ That frontage of a building containing the primary or most important entrance to the occupancy thereon. In such cases where there are multiple entrances, the Planning Commission shall determine which frontage is the primary frontage. In no case shall more than one primary business frontage be permitted.

~~K. Public Directional Signs.~~ Signs containing directional information about public places owned or operated by federal, state or local governments or their agencies; publicly owned natural phenomena, historic, cultural, scientific and educational sites; and publicly owned or operated areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

~~J. Public Utility Signs.~~ Warning signs, informational signs, notices or markers which are customarily placed by public or private utilities, as essential to their operations.

~~E. Secondary Business Frontage.~~ That frontage of a building containing any entrance other than a primary business frontage. In no case shall more than two secondary business frontages be permitted.

~~H. Service Station.~~ A business which is primarily in the business of providing service to vehicles such as gasoline, oil, tire, mechanical assistance, parts, etc., and not including convenience markets that sell gasoline, diesel fuel or oil.

~~G. Shopping Center.~~ Commercial and retail buildings and associated facilities which have been designed and developed as an integrated unit containing more than four separately owned and operated businesses which function as an integral unit and which utilize common off-street parking.

~~A. Sign.~~ Any letters, figures, design, symbol, trademark or illuminating device intended to attract attention to any person, partnership, corporation or unincorporated association, or any place, subject, public performance, article, machine or merchandise, whatsoever, and painted, printed, constructed, erected or displayed in any manner whatsoever.

~~B. Sign Area.~~ That area enclosed by a square, rectangle, triangle or other shape which connects the extreme points or edges of the sign, excluding the supporting structure which

does not form part of the sign proper. Sign area shall include only one face of any double-faced sign and shall include all faces of any multi-faced sign containing more than two faces. For the purpose of this definition, the faces of a double-faced sign shall be parallel.

~~G. Sign Area Allotment. The maximum area of signs that may be displayed on any site, premises, business, building, parcel, lot or otherwise not including signs specifically exempted in this Chapter.~~

~~H. Temporary Signs. **A sign constructed of cloth, canvas, light fabric, cardboard, wallboard, poster board, or other light materials, with or without frames, and mounted in a nonpermanent manner, displaying a noncommercial message which remains in use not more than forty-five (45) consecutive days.** Temporary signs of any type, including, but not limited to, banners, which are not be displayed for a period longer than 30 days.~~

~~F. Uniform Building Code, Uniform Electrical Code, Uniform Mechanical Code. Those codes which are currently in full force and effect as adopted by the City Council including any amendments or additions thereto adopted from time to time by the City Council.~~

Window Display. A window display is an arrangement of merchandise, including graphics and text, that is at least eighteen (18) inches in depth and is displayed in a building window. If a window display includes a sign greater than four (4) square feet located within eighteen (18) inches of the window surface, it is considered a sign.

Window Sign. A sign painted directly on a window, affixed to the inside of a window, or located inside facing a window and located within eighteen (18) inches of a window surface.

17.59.160 - Prohibited signs.

The following signs shall be prohibited in the City of Del Rey Oaks. Descriptions of these signs are included in this section. Additional definitions pertaining to this Chapter are contained in Sections 17.59.150 and 17.59.170.

~~A. Portable Signs. Signs capable of standing without support or attachment to a structure or the ground; except A frame signs approved under section 17.59.170.~~

~~B. Animated Signs. Signs that involve animation, rotation, flashing, projections, scintillation, or any type of movement not including barber pole signs or time, date and temperature signs.~~

~~C. Billboard Signs and Banners. Off-site advertising signs that are designed to direct attention to a business, commodity, service or entertainment, sold or offered elsewhere than on the premises or property on which the sign is located. Exceptions: not including temporary (30-day) signs or banners that are approved by the Planning Commission and which are to be used for the purpose of advertising an event of general civic interest or that are to be used as temporary (30-day) off-site directional signs, including such as one-time only grand opening signs etc.~~

~~D. Roof Signs. Signs that are attached to, supported by, mounted on or project above a roof or other architectural feature including, but not limited to mansards, parapets and the like.~~

~~E. Projecting Signs. Signs that are suspended from or that are supported by a wall, building or structure and project more than three feet outward therefrom or signs that project into the public right-of-way. No provision contained herein shall be construed to prohibit the display or construction of freestanding signs.~~

~~F. Characterization Signs. Signs characterizing a person, object, place, etc.~~

<i>Prohibited Signs</i>
<i>Any sign that exceed 32 square feet of sign area.</i>
<i>Attention-getting signs and devices that involve animation, rotation, flashing, projections, scintillation, or any type of movement, excluding barber poles, time, date, and temperature signs.</i>
<i>Backlit translucent awning signs</i>
<i>Electronic message signs (excludes traffic control signs)</i>
<i>Private party signs mounted, erected, maintained, or displayed on City property or in the right-of-way except as otherwise authorized in this Chapter. Any sign in the City right of way that is less than five feet from the back side of the curb abutting a property, or where there is no curb, five feet from the edge of the asphalt. This prohibition shall not apply to the use of City property pursuant to a special event permit, license agreement, concession, or lease.</i>
<i>Highly reflective and fluorescent (day-glow) signs</i>
<i>Off-site advertising signs that are designed to direct attention to a business, commodity, service, or entertainment, sold, or offered elsewhere than on the premises or property on which the sign is located (except for Temporary Signs)</i>
<i>Roof Signs. Signs that are attached to, supported by, mounted on or project above a roof or other architectural feature including, but not limited to mansards, parapets, and the like.</i>

<i>Projecting Signs. Signs that are suspended from or that are supported by a wall, building or structure and project more than three feet outward therefrom or signs that project into the public right-of-way. No provision contained herein shall be construed to prohibit the display or construction of freestanding signs.</i>
<i>Signs posted on trees, utility poles, traffic signposts, light posts, traffic signals, or any other official traffic control device</i>
<i>Signs placed or maintained so as to interfere with free ingress to or egress from any door, window or fire escape, or parking lot</i>
<i>Signs which simulate or imitate in size, color, lettering or design any traffic sign or signal, or which make use of words, symbols or characters in such a manner as to interfere with, mislead, or confuse pedestrian or vehicular traffic</i>
<i>Signs which are prohibited in a specific plan, master plan, area plan, or similar land use document adopted by the City Council</i>

17.59.170 - Permitted signs.

The following signs shall be permitted in the City of Del Rey Oaks subject to the provisions ***and conditions*** contained in this Section and this Chapter, ***including, where indicated, Planning Commission review and the issuance of a sign permit.*** Definitions of permitted signs are included in this Section. Additional definitions pertaining to this Chapter are contained in Sections 17.59.150 and 17.59.160.

Permitted Sign	Description and Conditions
Accessory Ancillary Signs	A sign of a secondary nature, e.g., savings stamp signs , credit card signs, not exceeding one square foot. Such signs are not included in the maximum sign area allotment. Planning Commission <i>approval</i> is not required. A sign permit is not required.
Barber Pole Signs	A striped pole characteristic of barbershops. Such signs may rotate. One such sign may be permitted per business in addition

Permitted Sign	Description and Conditions
	to any other signs permitted by this Chapter. Planning Commission approval is required. A sign permit is required.
Directional and Public Service Signs	<p>Public service signs, approved by the Planning Commission, including time and temperature devices and signs indicating the location or direction of a place or area on the premises upon which the sign is located.</p> <p>Such signs are not included in the maximum sign area allotment if they are deemed necessary and appropriate by the City Manager. Planning Commission approval is not required. A sign permit is not required. Such signs may be placed within required yard or setback areas. Planning Commission approval is required. A sign permit is required.</p>
Freestanding Signs	Freestanding signs of a permanent nature not attached to any portion of a building and not projecting over or through a roof, eaves of a building or any public right-of-way. Planning Commission approval is required. A sign permit is required.
Awning, Marquee, or Canopy Signs	<p>An awning sign is one that is A sign attached to the face of or supported by an awning. (Awning: a roof-like cover, usually of canvas extending over or before a place). A marquee or canopy sign is one that is attached to or supported by a marquee or canopy.</p> <p>Such signs must be parallel to the face to which attached and must not hang lower or project above the face to which attached. Site and architectural Planning Commission approval is required. A sign permit is required.</p>
Marquee or Canopy Signs	<p>A sign attached to or supported by a marquee or canopy.</p> <p>Such signs must be parallel to the face to which they are attached and may not be made of cloth, canvas or other</p>

Permitted Sign	Description and Conditions
	<p>material of a similar nature nor shall such signs hang lower or project above the face to which attached. Planning Commission approval is required. A sign permit is required.</p>
Nameplates	<p>Professional nameplates and occupation signs exceeding three square feet in area.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
Reader Board Signs	<p>A sign with detachable or interchangeable letters.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
Under Canopy Signs	<p>Such signs that do not exceed four square feet will not be included in the maximum sign area allotment. Any such sign exceeding four square feet shall be included in the maximum sign area allotment. Such signs shall have a minimum clearance of seven feet six inches above the sidewalk.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
Wall Signs	<p>A sign of either solid face construction or individual letters placed against the exterior wall of any building or structure. Such signs shall not extend more than one foot beyond the wall.</p> <p>Planning Commission approval is required. A sign permit is required.</p>

Permitted Sign	Description and Conditions
<p>Window Signs (Temporary – 30 45-Day).</p>	<p>Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the a place of business and that are designed to be displayed for a maximum of 30 45 days.</p> <p>Such signs are permitted to cover no more than 50 percent of the area of the window. Such signs may not be displayed more than 30 45 days. Such signs are not included in the maximum sign area allotment.</p> <p>Planning Commission approval is not required. A sign permit is not required.</p>
<p>Window Signs (Permanent)</p>	<p>Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the a place of business and that are designed to be displayed for more than 30 45 days.</p> <p>Such signs are permitted to cover no more than ten percent of the area of the window. Such signs are not included in the maximum sign area allotment.</p> <p>Planning Commission approval is not required. A sign permit is not required.</p>
<p>Monument Sign.</p>	<p>A low profile free-standing sign incorporating the design and building materials and accenting the architectural theme of buildings within the same development.</p> <p>Such signs shall be considered the same as a free-standing sign.</p>

Permitted Sign	Description and Conditions
Real Estate Signs.	Real estate signs shall be permitted as specified specified conditioned in Section 17.59.210 080 of this Chapter.
Portable A-Frame Signs	<p>A portable sign constructed of two faces which are connected by hinges at the top, forming the shape of an A when viewed at right angles to the face.</p> <p>Each business may be allowed one such sign. The sign shall be placed at ground level with a maximum height of four feet and be no larger than three feet by four feet and shall be placed at least four feet from vehicle entrances and exits and not in the public right-of-way.</p> <p><i>Sign advertising real estate open houses shall be placed at ground level with a maximum height of four feet and be no larger than three feet by four feet and shall be placed at least four feet. Such signs may be placed off the site on private property for the purpose of advertising that the subject property is open for inspection. One additional such sign may be displayed on the premises that is open for inspection.</i></p> <p><i>Portable signs shall only be permitted from dawn until dusk.</i></p> <p>Planning Commission approval is required. A sign permit is required.</p>
Signs in General	Any sign which is not listed under permitted or prohibited signs (Section 17.59.160 and this section, respectively) shall be considered individually by the Planning Commission pursuant to Section 17.59.210. who shall determine whether the sign falls in the permitted or prohibited category.

Permitted Sign	Description and Conditions
	<p>If the Planning Commission determines that such sign falls in the permitted category, permission to display such sign, signs or signing program shall be granted subject to any and all conditions the Planning Commission may find necessary to achieve the spirit, purpose and intent of this Chapter.</p> <p>The conditions of approval may include but not be limited to requiring Planning Commission approval and a sign permit.</p>
Flags	<p>Flags of any government entity are permitted. A sign permit is not required.</p> <p>Flags announcing commercial or business identity must receive Planning Commission approval and a sign permit.</p>

17.59.180 - Sign regulations for commercial and industrial districts C-1, C-2, P-C, L-M and M districts.

A. Sign Area. One and one-half square feet are permitted for every foot of primary business frontage to a maximum of 100 square feet per business. One-half square foot is permitted for every foot of secondary business frontage to a maximum of 25 square feet for each secondary business frontage.

B. Number of Signs. No more than two signs may be permitted per business, unless otherwise approved by the Planning Commission. Under canopy signs are not counted for the purposes of this Section.

C. Type of Signs. Any sign specified under Section 17.59.170, may be displayed in accordance with the provisions of this Chapter.

D. General Provisions. All signs and signing programs specified below shall be subject to review and approval by the Planning Commission and shall require a sign permit.

1. Shopping centers may be permitted to erect a free-standing identification sign which may also indicate the principal tenant and other services available on the site. Said sign shall be located adjacent to the principal street frontage and shall not

exceed 100 square feet in area or 25 feet in height. If the shopping center has more than one principal street frontage, two such signs may be permitted. The sign area and sign height specified in this Section are the maximum limits and the Planning Commission reserves the right to approve lesser sign area or height.

2. Industrial parks containing more than four buildings designed to be architecturally compatible, whether or not on the same parcel of land, shall be permitted to place monument signs along, at, or adjacent to principal entrances to the park. Such signs shall not exceed 200 square feet or ten feet in height. The actual size, height and number of signs shall be specified by the Planning Commission.

3. Real estate signs shall be permitted ~~subject to the provisions as~~ **conditioned in** of Section 17.59.210 ~~080~~.

E. Master Signing Program Approval Required. Any and all commercial, office or industrial developments designed to contain more than four occupancies, businesses or buildings are required to obtain approval of a master signing program from the Planning Commission. Said master signing program plans must be prepared, reviewed and approved by the Planning Commission prior to the issuance of any occupancy permit in the development. Plans for the master signing program shall include specifications, descriptions and locations of all signs to be displayed on the site including, but not limited to, advertising, identification, directional and public service signs. The Planning Commission may approve, conditionally approve or modify said plans in order to ensure that the master signing program is in accordance with the purpose, spirit and intent of this Chapter. Any decision of the Planning Commission on a master signing program may be appealed to the City Council. Appeals shall be in writing and shall be filed with the City Council within 20 days of the decision.

Approved master signing programs may be modified from time to time by the Planning Commission or by the City Council through the appeal process.

17.59.190 –~~Sign r~~ Regulations for residential districts R-1 and, R-2 districts.

A. Single Family Dwellings, Duplexes, Triplexes, and Fourplexes. One nameplate not exceeding three square feet per dwelling. Planning Commission approval is not required. A sign permit is not required.

B. Multiple Family Dwellings. Dwellings containing more than four dwelling units may be permitted a maximum of two signs, each containing a maximum of 30 square feet. Planning Commission approval is required. A sign permit is required.

~~C. Church Signs. Same as Section B above.~~

~~E~~ C. Public, Quasi-Public, Halls, Organizations, Clubs, Lodges and All Similar Uses. Same as Section B above.

~~ED.~~ Nonresidential uses not otherwise specified herein including, but not limited to, hotels, motels, professional offices, and other non-residential uses that may be permitted in residential zoning districts. Signs for such uses shall be regulated by Section 17.59.180.

~~FE.~~ Real Estate Signs. Real estate signs shall be permitted subject to the provisions **as conditioned in** of Section 17.59.210 **080**.

~~GF.~~ All signs not permitted by subsections (A) through (~~FE~~) above or regulated **elsewhere in this Chapter** by section 17.59.220 are prohibited.

17.59.200 – Sign r-Regulations for districts other than commercial, industrial, and residential.

~~A.~~ All signs, ~~other than real estate signs which are regulated in Section 17.59.210 and those regulated by section 17.59.220,~~ shall require approval by the Planning Commission **pursuant to Section 17.59.210**, or the City Council through the appeal process. ~~Appeals may be made of any decision of the Planning Commission as specified in Section 17.59.040. No sign shall be approved unless and until a finding is made that the proposed sign is consistent with the purpose, spirit and intent of this Chapter.~~

17.59.210 – Real estate signs.

~~1.~~ The following regulations shall apply to real estate signs in the City of Del Rey Oaks.

~~A. Sale, Rental or Lease Signs. Except as provided in Section 17.59.210 (D) any property being advertised for sale, rent or lease may have one temporary (30 day) sign on the property. Such sign shall not exceed 12 square feet in area. Planning Commission approval is not required. A sign permit is not required.~~

~~B. Subdivision Signs. In the subdivision of land, the land being subdivided may have no more than two signs posted upon it advertising the subdivision. Each sign shall not exceed 32 square feet in area. Planning Commission approval is not required. A sign permit is required.~~

~~C. Under Construction Signs. Under construction signs shall not exceed 20 square feet in area. No more than one such sign shall be permitted. Planning Commission approval is not required. A sign permit is required. Such signs may only be in place during actual construction.~~

~~D. Portable, Temporary (30-Day) Signs Displayed on Private Property. In advertising a property for sale, rental or lease, a portable sign, not exceeding six square feet in area may be placed off the site on private property for the purpose of advertising that the subject property is open for inspection. One additional such sign may be displayed on the premises~~

~~that is open for inspection. Such signs shall only be displayed when the premises are open for inspection and Planning Commission approval is not required. A sign permit is not required.~~

~~E. Model Home Signs. Signs identifying model homes may be displayed on the property upon which the model homes are located. Such signs shall be located adjacent to the entrance of the model home. Such signs shall not exceed eight square feet in area nor three feet in height. Planning Commission approval is not required. A sign permit is not required.~~

~~F. General Provision. Any signs not specifically permitted under the provisions of Section 17.59.210 are prohibited unless and until a sign permit is secured from the City Clerk.~~

17.59.210 - Signs not otherwise regulated; Sign Permit and Planning Commission Review.

Upon application to the Planning Commission for a sign permit, any sign(s) not otherwise regulated by this Chapter may be allowed upon application to the Planning Commission so long as the Planning Commission finds that:

- 1. The sign(s) will not materially conflict with the character of the neighborhood in which it will be displayed; and***
- 2. The value of property in the zone will not be significantly decreased by the erection or maintenance of the sign(s).***
- 3. A finding is made that the sign(s) will better achieve the purpose and objectives of this chapter than the strict application of said sign regulation.***

~~A. General Provisions. The following provisions apply to all signs not otherwise regulated by this chapter, including, but not limited to, those expressing a political, religious, or sociological viewpoint, including election signs:~~

~~1. No such sign shall be located upon any public street, alley, sidewalk, right-of-way, easement, or other governmental property.~~

~~2. All such signs shall be erected, altered and maintained in accordance with the Uniform Building Code and the safety provisions set forth in Section 17.59.110 of this chapter.~~

~~3. All such signs must be stationary and unlighted.~~

~~4. Such signs shall be freestanding, except in the R-1 District said signs may be either attached to the outside of a window or wall of a building. Any freestanding sign shall be located at least five feet from any property line and may not encroach upon required parking or driveways.~~

~~5. The posting of any sign regulated by this section shall not in any way affect a property owner's right to erect signs permitted by other provisions of this chapter.~~

~~6. Planning Commission approval is not required. A sign permit is not required.~~

~~7. Consent of Owner or Occupant. No sign regulated by this section may be posted without the consent of the owner or legal occupant of the premises on which the sign is posted.~~

~~8. Area of Signs. No sign regulated by this section shall exceed 32 square feet of sign area.~~

~~9. Signs in the R-1 District. The total area of all signs regulated by this section on any one property in the R-1, single-family residential district shall not exceed eight square feet. However, in this district, the number of such signs on any one property is not limited, provided the total area of all signs does not exceed eight square feet.~~

~~10. Signs in All Districts Other Than the R-1 District. In all zoning districts except the R-1 district, signs regulated by this section shall be placed only upon those vacant portions of a property which are not covered by structures, landscaping, parking areas or driveways, with the signs on any one property which includes at least 4,000 square feet of said vacant area to be limited to not more than one square foot of sign area for each 125 square feet of said vacant area. For properties which include less than 4,000 square feet of vacant area, each such property shall still be allowed up to 32 square feet of sign area without the need to satisfy the previous sentence's restriction that signs be allowed only upon vacant areas and with no limitation upon the number of signs composing the 32 square feet.~~

~~11. Time Limitations. Signs regulated by this section may be posted not more than 60 days prior to an event to which they pertain. All such signs must be removed within five days after the event to which they pertain or within 65 days of their initial posting whichever occurs first.~~

~~12. Responsibility for Removal. It shall be the property owner's responsibility to remove all signs regulated by this section within the time limitations specified above, whether or not the owner has consented to the posting or construction of such signs.~~

~~B. Greater Sign Area and Time limitations Allowable Pursuant to Use Permit and Planning Commission Approval.~~

~~1. Upon application to the Planning Commission for a use permit, a sign area greater than otherwise allowed by this section may be allowed so long as the Planning Commission finds that:~~

~~a. The sign will not materially conflict with the character of the neighborhood in which it will be displayed; and~~

~~b. The value of property in the zone will not be significantly decreased by the erection or maintenance of the sign.~~

~~2. Use permits for such signs shall be granted for a period of not more than one year.~~

17.59.220 - Maximum Total Sign Area

A. Signs in the R-1 District. The total area of all signs – temporary and permanent - regulated by this Chapter on any one property in the R-1, single-family residential district shall not exceed 160 square feet. However, in this district, the number of such signs on any one property is not limited, provided the total area of all signs does not exceed 160 square feet.

B. Signs in All Districts Other Than the R-1 District. In all zoning districts except the R-1 district, signs on any one parcel with at least 4,000 square feet shall be limited to not more than 250 square feet of total area for all signs. For parcels of less than 4,000 square feet shall be limited to not more than 200 square feet of total area for all signs.

17.59. 230 - Sign Variance

A. Purpose and intent. The purpose of the sign code variance procedure is to recognize unique situations that limit the view of a permitted sign and provide a reasonable alternative to the sign placement or location.

B. Applicability. When the strict or literal interpretation or enforcement of the regulations of this Chapter would result in practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of this Chapter, the Planning Commission shall have the authority to grant a variance from the following provisions of this sign code:

1. Sign height, provided that the sign may not be raised more than twenty-five percent above that which would otherwise be permitted; and

2. Sign area, provided that the sign may not be increased in area more than twenty-five percent above that which would otherwise be permitted; and

3. Sign location, provided that no more than two legally permitted signs are located along any one building frontage.

C. Required Findings. In reviewing a sign variance request, the Planning Commission shall consider and clearly establish the following findings of fact regarding the request sign variance:

1. it will not endanger the public health, safety or general welfare;

2. it will not injure the value of adjoining or abutting property;

3. it will not result in any significant environmental impacts;

4. it will be in harmony with the area in which it is located;

5. it will be in conformity with the zoning ordinance, general plan and/or specific plan; and

6. for applications regarding commercial signs, it will not grant or constitute a special privilege to the applicant over other similarly situated businesses.

D. Conditions. The Planning Commission may condition its approval, and such conditions may be in addition to those allowed pursuant to this Chapter.

E. Applicability of Chapter. All other applicable provisions of this Chapter shall apply to any sign variance granted pursuant to this Section, including, without limitation, construction standards, design standards, and safety standards.

F. Appeal. Any decision of the Planning Commission regarding a sign variance may be appealed, in writing, to the City Council within 20 days of the decision.

~~17.59.230 – Neighborhood signs.~~

~~Signs identifying a neighborhood or development not exceeding 50 square feet in area, may be permitted. Planning Commission approval is required. A sign permit is required.~~

~~17.59.240 – Service stations.~~

~~In addition to the signing permitted under Section 17.59.180, service stations may be permitted to display two additional signs each of which shall not exceed 16 square feet. Such signs shall be permanently affixed to the ground or a structure. Planning Commission approval is required. A sign permit is required.~~

~~17.59.250 – Highway signs.~~

~~Commercially zoned properties having frontage on Highway 218 and Highway 68 are hereby declared to be sites of special significance and any and all signs and signing programs shall be approved by the Planning Commission or the City Council on appeal. In considering a sign or signing program for a site of special significance, the following items shall be considered: the signing needs of the proposed use; the location of the site in relation to highway access; the responsibility of the City to protect and preserve the natural beauty of Highway 218 and Highway 68 while balancing the City's need for a healthy highway oriented visitor serving industry. Any decision of the Planning Commission concerning a site of special significance may be appealed, in writing, within 20 days of the decision of the Planning Commission.~~

~~17.59.260 – Signs for advertising purposes.~~

~~Unless otherwise provided in this Chapter, no permanent sign shall be erected, constructed, placed, tacked, fastened, displayed, painted, posted, printed or otherwise where more than 25 percent of the area of such sign is used for advertising purposes. Seventy-five percent of the~~

~~area of such signs shall be used solely for naming, designating or identifying the enterprise or calling.~~

~~**17.59.270 – Historic signs.**~~

~~Signs in historic areas and on historic buildings shall be minimized and shall be appropriate to **the** an historic setting.~~

17.59.280 240- Severability.

If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

~~**17.59.290 250- Repeal provision.**~~

Any and all other sign regulations contained in Title 17, Zoning, of the City of Del Rey Oaks Municipal Code in conflict with this Chapter are hereby repealed.

SECTION 3. Environmental Determination. The City Council finds the enactment of this ordinance is not subject to the California Environmental Quality Act (CEQA) as it is not a project pursuant to Guidelines Section 15378 because it has no potential for resulting in physical change to the environment directly or indirectly. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 4. This ordinance shall take effect thirty (30) days following its final adoption.

SECTION 5. Severability. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses, or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 6. Publication. The City Clerk of the City of Del Rey Oaks, California, is hereby directed to publish in a newspaper of general circulation.

INTRODUCED AND APPROVED by the City Council of the City of Del Rey Oaks, California, at its regular meeting held on the 23rd day of June 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ALISON KERR, Mayor

ATTEST:

DANIAL PICK, City Clerk