



## PLANNING DEPARTMENT

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**TO:** Mr. Mayor, City Council, Guadalupe Community  
**FROM:** Larry Appel, Contract Planning Director  
**DATE:** March 18, 2022  
**RE:** **Zoning Ordinance Update – Signs**

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The draft Sign Ordinance was introduced to Council and the public in March 2020. A workshop was held in August 2020. Due to the problems from Covid, the ordinance was put on the back burner. During that time, planning staff and the City Attorney received extensive comments from the Guadalupe Business Association. Those comments have been addressed and revisions have been made to the draft ordinance.

The current version of the draft ordinance is scheduled to return to the City Council on April 26<sup>th</sup> for consideration and first reading of the ordinance.

We are providing over a month for all to review this draft and to contact staff with any comments prior to the Council meeting. Comments can be transmitted to Larry Appel, Contract Planning Director

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Attachment: Draft Sign Ordinance (3-2-22)

cc: Todd Bodem, City Administrator  
Philip Sinco, City Attorney  
Garrett Matsuura, Guadalupe Business Association

## **CHAPTER 18.51 SIGNS**

### **Section 18.51.01. Purpose.**

The purpose of this Chapter is to regulate signs located on private property within the City and on property owned by public agencies other than the City and over which the City has zoning and land use regulatory power.

### **Section 18.51.02 Objectives.**

Signs can have either a positive or negative impact on the character and quality of the City. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and set the tone of a neighborhood and the City. The objectives of this Chapter include the following:

A. To implement the City's community design and safety standards as set forth in the City's General Plan, and Municipal Code.

B. To maintain and enhance the City's appearance by regulating the design, character, location, number, type, size, illumination, and maintenance of signs.

C. To serve the City's interests in maintaining and enhancing its visual appeal for residents, tourists, and other visitors, by preventing the degradation of visual quality which can result from excessive and poorly designed, located, or maintained signage.

D. To generally limit signage to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs.

E. To limit the size, number, and construction of signs to levels that reasonably allow for the free communication of ideas, consistent with the other purposes of this ordinance.

F. To encourage signs that are appropriate to the zoning district in which they are located and consistent with the permitted and conditional uses applied to the subject property.

G. To establish sizes of signs in relationship to the scale of the lot and building on which the signs are to be placed or to which they pertain.

H. To minimize the possible adverse effects of signs on nearby public and private property, including streets, sidewalks, roads, and highways.

I. To protect and improve pedestrian and vehicular safety by balancing the need for signs that facilitate the safe and smooth flow of traffic (e.g., directional signs and on-site signs) without an excess of signage which may distract drivers or overload the mental capacity to quickly receive and interpret information.

J. To reduce hazardous situations, confusion, and visual clutter caused by the proliferation, placement, illumination, animation and excessive height, and area and bulk of signs which compete for the attention of pedestrians and motorists.

K. To respect and protect the right of free speech by sign display, while reasonably regulating the structural, locational, and other non-communicative aspects of signs, generally for the public health, safety, and welfare, and specifically to serve the public interests in community aesthetics, traffic, and pedestrian safety.

L. To enable the fair, consistent, and effective enforcement of the sign regulations of the City.

### **Section 18.51.03. Definitions.**

The definitions listed below supplement those set forth in Chapter 18.08 with Illustration A and B (located in the Appendix at the end of this Chapter) depicting examples of certain types of signs:

A. Balloon or Blimp: An airtight bag, possibly rigid or semi-rigid, which will rise and float above the earth when filled with hot air or gas.

B. Banner: A type of temporary sign made of paper, cloth, flexible plastic or similar material.

C. Bow/Feather Sign: Any variety of fabric signs as shown in Illustration A, commonly called but not limited to bow, feather, tear drop, etc. that display a message, supported by a horizontal or vertical pole of various lengths.

D. Bulletin Board: A permanently constructed sign containing a surface area that may have interchangeable letters, words, or numerals.

E. Building Face: The exterior surface of any building, regardless of frontage.

F. Building Occupancy Frontage: The length of that portion of a building occupied exclusively by an individual tenant or owner which faces the public right-of-way.

G. Building Official: A title recognized by the City of Guadalupe and the International Code Council (ICC) responsible for interpretation, effectuation and enforcement of the California Building Codes, including, but not limited to, the International Building Code (IBC).

H. Canopy/Awning Sign: A sign mounted or painted on a canopy or awning.

I. Commercial Sign: Any sign, wording, logo, picture, transparency, mechanical device, or other representation that is intended to attract attention to a commercial or industrial business, occupancy, product, goods, service, or other commercial or industrial activity for a commercial or industrial purpose.

J. Construction Project or Subdivision Sign: A sign erected in conjunction with a construction project.

K. Directional Structure: A noncommercial, on-site structure, the purpose of which is to facilitate safe vehicular or pedestrian travel by directing pedestrians or vehicles to specific on-site locations, such as parking spaces, special drive-up or walk-up services, exits, and public restrooms.

L. Director: The Planning Director of the City.

M. Directory Sign: A wall or monument sign that may list the names of businesses in an office or retail complex and the corresponding building, suite or room number/letter. In multi-family residential areas, the sign can be used for identifying apartment buildings and unit numbers.

N. Freestanding Sign: A sign not attached to a building that is constructed upon, or affixed to, the ground by means of two or more columns or similar structural components.

O. Height of Sign, Maximum: The distance from the lowest adjacent finish grade within three feet of the base of the sign to the top of its highest element.

P. Illuminated Sign - External: A sign which is illuminated by use of lighting from a source outside of the sign.

Q. Illuminated Sign - Internal: A sign which is illuminated by use of lighting installed inside the sign.

R. Institution: All governmental, religious, and charitable organizations.

S. Master Sign Plan: A plan outlining the design, location, size, number, materials, and construction of sign structures for any multi-tenant or multi-building site in order to ensure continuity of design within the project and to provide for equitable distribution between tenants of allowable sign area.

T. Memorial Signs or Tablets: Signs or tablets cut into masonry surfaces or constructed of bronze or other incombustible materials mounted on a solid base, affixed to a building, or on one or more uprights.

U. Mobile billboard advertising display: An advertising display that is attached to a wheeled, mobile, non-motorized vehicle, that carries, pulls, or transports a sign or billboard, and is for the primary purpose of advertising in accordance with Section 395.5 of the California Vehicle Code and sections amendatory or supplementary thereto.

V. Monument Sign: A sign affixed to a solid base and installed on a landscaped, concrete or other solid surface on the project site.

W. Noncommercial Sign: A sign that does not name, advertise, or call attention to a commercial or industrial business, commodity, product, goods, service, or other commercial or industrial activity for a commercial or industrial purpose.

X. Off-Site Sign: A commercial sign not located on the site of the business or entity indicated or advertised by the sign, or a commercial sign advertising a commodity, good, product, service or other commercial or industrial activity which originates on a site other than where the sign is maintained.

Y. On-Site Sign: A commercial sign which directs attention to a commercial or industrial occupancy, business, commodity, product, goods, service, or other commercial or industrial activity conducted, sold, or offered upon the site where the sign is maintained.

Z. Parcel Frontage: The length of the property line abutting the public right-of-way for the parcel of land measured in linear feet.

AA. Painted Sign: A sign that is painted directly on a wall or other surface, and does not project from the surface to which it is applied.

BB. Parking Lot Light Banner: A banner sign attached to the vertical portion of a privately-owned parking lot light standard, suspended between horizontal supports. For the purpose of this Chapter, a parking lot light is defined as a vertical pole of varying height supporting a luminaire or mast arm.

CC. Permanent Sign: Any sign which is constructed to be lasting and enduring, remaining unchanged in character, condition (beyond normal wear and tear) and position and in a permanent manner affixed to the ground, wall, or building.

DD. Projecting Sign: A sign attached to, and projecting from, the face of the roof of a structure, canopy, or marquee.

EE. Pole/Pylon Sign: Any freestanding sign where the structural support for the sign is generally a single exposed pole.

FF. Roof Sign: A sign erected upon a roof or eave of a roof, or erected upon an awning of a structure, which is wholly or partially supported by said structure and includes a sign projecting above the eave or parapet of a roof.

GG. Sandwich Board Structure: A small, single or multi-sided type of sign placed on the ground, also referred to as an “A-sign”.

HH. Sign: Any device, fixture, placard, or structure, including its component parts, which draws attention to an object, product, place, activity, opinion, person, institution, organization, or place of business, or which identifies or promotes the interests of any person and which can be viewed from any public street, road, highway, right-of-way, parking area or public space.

II. Triangle Pennant Sign: A triangle-shaped piece of plastic or cloth material connected to a cord including a single color or multiple colors that repeat for the length of the cord, and is used to draw attention to businesses such as vehicle sales lots.

JJ. Valet Sign: A moveable support structure which contains a single support element or post used to display signage not permanently affixed to the ground.

KK. Nonconforming Sign: A sign which existed as a legal sign prior to the effective date of the ordinance codified in this Chapter which is in conflict with the provisions of this Chapter.

LL. Sign Structure: A structure which supports a sign.

MM. Sign Tower: An architecturally designed structure not exceeding 25 feet in height that can be permitted in the C-S-SP and C-N-SP zoning districts subject to a Design Review Permit or Conditional Use Permit.

NN. Temporary Sign: A sign constructed of expendable material such as paper, plastic, cloth, or wood intended to be displayed for a short period of time. Pennants, banners, and similar devices are also included in this category. Temporary signs may serve many functions such as grand opening signs or political signs.

OO. Wall Sign: A sign which is attached directly to, and parallel with, the building face or painted upon the wall or marquee of a building or structural part thereof.

PP. Window Sign: A sign painted, printed, attached, unattached but adjacent, glued, hung or otherwise affixed to a window so that it is visible from the exterior of the building. A window sign is a type of wall sign and may be located inside or outside of a building and either shall constitute a sign and is subject to the provisions of this Chapter.

QQ. The following are not within the definition of sign for the regulatory purposes of this Chapter:

1. Any public or legal notice required by a court or public agency;
2. Decorative or architectural features of building, except letters, trademarks, or moving parts;
3. Time and temperature devices;
4. Signs on street legal vehicles, license plates, license plate frames, registration insignia, including noncommercial messages, messages relating to the business or service of which

the vehicle is an instrument or tool (not including general advertising), and messages relating to the proposed sale, lease, or exchange of the vehicle;

5. Traffic, directional, emergency, warning or informational signs required or authorized by a governmental agency having jurisdiction;

6. Permanent memorial or historical signs, plaques, or markers that comply with Section 18.51.03.T or Section 18.51.03.V;

7. Public utility signs; and

8. News racks.

#### **Section 18.51.04. General Requirements.**

A. **Applicability.** This Chapter regulates signs located on private property within all zoning districts of the City and on property owned by public agencies other than the City over which the City has zoning and land use regulatory power. Except where otherwise expressly provided in this Chapter, all signs located in such areas of the City shall receive zoning clearance for signs or a master sign plan as provided in subsection B of this Section, and shall be erected and maintained in conformity with this Chapter. The consent of the property owner is necessary before any sign may be erected on any private property within the City.

B. **Zoning Clearance for Signs Required.** Except as otherwise provided in this Chapter, it is unlawful for any person to place, erect, structurally or electrically alter (not including a change in sign copy or sign face), move or display or maintain any permanent sign without first obtaining a zoning clearance for signs from the Director or his/her designee in accordance with the provisions of this Chapter. No zoning clearance for signs is required for cleaning or other normal maintenance of a properly approved sign, unless a structural or electrical change is made.

C. **Master Sign Plan Required.** On a multi-tenant building or multi-building site, a master sign plan shall be prepared by the owner for review and approval by the Director or his/her designee in accordance with Section 18.51.07. The purpose of the master sign plan is to ensure compliance with this Chapter, promote continuity of sign design and to spread the amount of sign area permitted among the buildings and businesses within a multi-tenant building or multi-building site. Temporary signage may be allowed in accordance with Section 18.51.05.D upon the approval of a complete master sign plan.

D. **Noncommercial Signs.** Noncommercial signs are allowed whenever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this Chapter.

E. **Substitution of Noncommercial Message.** Subject to the consent of the property owner, a noncommercial message of any type may be substituted for all or part of the commercial message on any sign allowed under this Chapter. No special or additional approval is required to substitute a noncommercial message for any other message on an allowable sign, provided the sign structure is already approved or exempt from the approval requirement and no structural or electrical change is made. When a noncommercial message is substituted for any other message, however, the sign is still subject to the same design, size, locational, and structural regulations (e.g., color, materials, height, size, illumination, maintenance, duration of display, etc.) as well as all building and electrical code requirements, as would apply if the sign were used to display a commercial message. In the event of any perceived or actual conflict between the general

provisions of this subsection and any other specific provisions in this Chapter, the provisions of this subsection shall prevail.

F. Construction Materials. All permanent signs shall be constructed of wood, metal, plastic, ceramic tile, glass or like material (or paint on a building such as a painted wall sign) as approved by the Planning Director.

G. Area of Signs.

1. A “double-face sign” with parallel planes, back-to-back, not more than 24 inches apart, shall count as a single sign and only one side shall be counted for the total sign area.

2. In the case of a multi-face sign other than a double-faced sign, the outer dimensions of all the sign faces shall be combined. The sign area shall be the total area of all the faces.

3. In the event a sign falls under more than one sign definition, the more restrictive sign regulations found in this Chapter shall apply.

4. Sign face changes to a legally established sign which do not structurally alter the sign (including sign area and configuration) shall not require a zoning clearance for signs.

5. The total sign area allowed on a parcel shall be calculated as the sum of the sign areas of all signs on the parcel except directional structures and temporary signs.

6. The total sign area allowed on a parcel shall be up to one square foot of sign area for each lineal foot of building occupancy frontage or parcel frontage, whichever is greater, except that all properties are allowed a minimum of 25 square feet of sign area regardless of the building or parcel width. The Director or his/her designee, through the zoning clearance for signs process, shall determine whether proposed sign area is compatible with the proposed architecture of the building and with other properties in the vicinity. Sites with multiple tenants shall be required to submit a master sign program, for approval by the Director or his/her designee, to determine the share of total sign area for each tenant space.

a. Parcels adjacent to more than one public street, public alley, or freeway may be allowed to count each frontage toward the total sign area for the parcel. As part of the zoning clearance for signs review process, the Director or his/her designee shall ensure that the sign area is appropriately distributed among said frontages in order to avoid signs that are visually out of proportion with each particular building face.

b. Bonus Sign Area: The total sign area may be increased by 25% for that portion of a building that has a height of 20 feet or more of habitable interior space. As part of the zoning clearance review process for signs, the Director or his/her designee shall ensure that the amount of the bonus sign area allowed does not result in signage that is out of proportion with the building.

7. The area of a sign shall be calculated by forming a box to enclose the entire sign. The box must be a continuous line consisting of not more than eight straight lines that form right angles. The area within the box shall be the sign area.

8. The supporting structure of any sign, including monument base or masonry veneer, shall not be included in determining the sign area.

H. Location. All sign structures shall comply with sight distance requirements for corner visibility of pedestrians and vehicles per Resolution No. 2009-24 (adoption of Santa Maria City Roadway Standards Manual, including corner cutbacks).

I. Architecturally Designed Sign Towers along Primary Arterial Streets. The City Council, through a Design Review Permit or Conditional Use Permit may permit, or conditionally permit, sign towers in the C-S-SP and C-N-SP zoning districts along primary arterial streets as defined in the Circulation Element of the General Plan. The sign towers shall not exceed a height of 25 feet above finished grade. The total sign area shall not be greater than 200 square feet per tower with signs permitted on up to four sign faces. The design of the sign towers must be consistent with the adopted Specific Plan for the area. The sign tower must make a positive design statement for the City of Guadalupe, be architecturally compatible with the architecture of the adjoining buildings, and must include substantial adjacent landscaping.

J. Illumination. Illumination shall be allowed on all signs upon the approval of zoning clearance for signs. Illuminated signs may be lighted either by exterior or interior means. Illuminated signs shall be designed in such a manner as to avoid glare or reflection of light on private property in the surrounding area or onto public rights-of-way. Illumination of signs shall comply with all adopted building codes of the City of Guadalupe.

K. Limitation on Number of Signs Affixed to a Building. Up to four permanent signs may be permitted on any building face for a single tenant providing that the total available square footage allowed for display of permanent signs on a building is not exceeded.

L. Maintenance. All signs shall be maintained in a neat and orderly appearance, including, but not limited to, repairing all holes, tears, fading, chipping, structural defects, and partial or full loss of illumination.

#### **Section 18.51.05. Standards by Sign Type.**

##### **A. Wall Sign.**

1. Maximum Height: Not to exceed the eave or parapet of the roof.
2. Permitted Zones: All Commercial, Industrial, PF, Open Space, Mixed-use, and Multi-family zone districts.
3. A wall sign may encumber no greater than 80% of the building street frontage width.
4. Window signs may not exceed 25% of an overall window area per building face. When any window area is displayed with a sign(s) in excess of 30 days per calendar quarter, or more than two 30-consecutive-day periods during a six-month time frame, not exceeding 120 display days within 12 months, when so designated by the applicant as provided in Section 18.51.05.D.4), or there is a change of the sign(s) with any number of different signs displayed in that same window during the foregoing specified time period(s), such window sign(s) shall be deemed a permanent sign and shall be counted against the total allowed sign area. In addition, an applicant may request that a portion of the available square footage for display of signs include up to 25% of any window area as part of the permanent approved sign display area.
5. A wall sign may not exceed 25% of an overall window area per building face.
6. Zoning clearance for wall signs needed: Yes.



**B. Monument Sign.**

1. Maximum Height: Six feet in residential zones; eight feet in commercial or industrial zones, as measured from adjacent finished grade.
2. Monument signs may be placed on landscaped mounds. All landscaped mounds shall comply with the development standards of Chapter 18.64 (landscaping) providing that mound slopes may not be steeper than 2 to 1 and no higher than three feet.
3. Monument Base: A monument sign must be supported by a solid base equal to or greater than 60% of the sign width obscuring one or more upright supports.
4. Permitted Zones: All Commercial, Industrial, PF, Mixed-use, and Open Space districts. Permitted in Residential zone districts with Master Sign Plan.
5. The maximum monument sign area shall be 50 square feet in all commercial, industrial, open space, public facilities. The maximum monument sign area shall be 35 square feet in all residential zoning districts.
6. Number of monument signs permitted shall be limited to one monument sign for each 125 linear feet of parcel frontage along a public street except that, upon the request of the applicant, monument signs closer to each other than an aggregate of 125 linear feet of parcel frontage along a public street shall be permitted when within 50 feet of the main entrances/exits of developments, such as a shopping center or office complex. Through the zoning clearance for signs review process, the Director or his/her designee will ensure the location of monument signs do not create an appearance of clutter along the street. In multi-family residential zones, monument signs may be permitted throughout the development provided the cumulative sign area is not exceeded for the project.
7. Zoning clearance for monument signs needed: Yes.

**C. Directional Structures.**

1. Maximum Height: Four feet for ground-mounted structures.
2. Maximum Area: Four square feet for ground-mounted structures; six square feet for wall-mounted structures.
3. Special Limitation: Directional structures shall only contain the information stated in Section 18.51.03.K.
4. Permitted Zones: All Commercial, Industrial, PF, Mixed-use, Open Space, and Multi-family residential zone districts.
5. Zoning clearance for directional structures needed: Yes.

**D. Temporary Sign/Banner.**

1. Maximum Height: Not to exceed roof eave line of nearest building or building to which it is affixed.
2. Maximum Area: A banner or temporary sign may be installed at a ratio of 32 square feet of sign area (in commercially or industrially zoned properties), or six square feet of sign area (in residentially zoned properties) for each 75 feet of width of the side(s) of a building facing a public street. For instance:

<b>Building Width</b>	<b>Sign Area (square feet)</b>	<b>Sign Area (square feet)</b>
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(feet)	Commercial/Industrial Zones	Residential Zones
75	32	6
150	64	12
225	96	18
300	128	24

3. Permitted Zones: All Residential, Commercial, Industrial, PF, Mixed-use, and Open Space districts zones.

4. Permitted Time: Temporary signs may be displayed for up to two 30-consecutive-day periods during a six-month time frame, not exceeding 120 display days within 12 months. The applicant shall specify the desired dates of display, any consecutive period(s) for display, and the 12 months within which the display will occur on the application for temporary zoning clearance for signs. A temporary zoning clearance for signs may be renewed upon expiration of the 12 months specified in a temporary sign application. All temporary signs shall be removed from the property within 5 days of the expiration date of the permit.

5. Banners shall be made of flexible, non-rigid material that cannot support itself.

6. Temporary signs shall not be subtracted from the total allowable permanent sign area.

7. A maximum of two temporary signs may be permitted as long as the total allowable temporary sign area is not exceeded.

8. Temporary signs are permitted on vacant lots and are subject to all other applicable provisions of Section 18.51.03.GG.

9. Permit for temporary/banner signs needed: Yes (no fee permit).

**E. Projecting Sign.**

1. Maximum Height: Not to exceed eave or parapet line of wall or structure to which projecting sign is attached (Note: Bottom of sign shall be a minimum of eight feet from ground to provide proper clearance.)

2. Permitted Zones: All Commercial, Industrial, PF, Mixed-use, and Open Space zone districts.

3. Location: Projecting signs may extend over public rights-of-way including public sidewalks not to exceed one-half of the distance from the building face to which the sign is attached to the curb face of said sidewalk.

4. Zoning clearance for projecting signs needed: Yes.

**F. Canopy/Awning Sign.**

1. Maximum Height: Not to exceed the height of the underside of a canopy, awning or marquee. The bottom of the sign shall be a minimum of eight feet from the ground to provide proper clearance.

2. Permitted Zones: All Commercial, Industrial, PF, Mixed-use, and Open Space districts zones.

3. Location: Canopy/awning signs may locate over rights-of-way including sidewalks except that no part of the sign may extend beyond the canopy.

4. Zoning Clearance for canopy/awning signs needed: Yes.

**G. Temporary Flags in Developing Residential Areas.**

1. Maximum Height: Not to exceed 15 feet.

2. Maximum Area: Ten square feet per flag, not to be less than two feet wide.

3. Permitted Zones: All Residential zones, and any other zones that include an approved mixed use housing project or Residential through the use of a conditional use permit.

4. Permitted Time: Temporary flags may be displayed for up to one year plus one additional year if a zoning clearance for signs for signs extension has been obtained. Flags shall only be installed onsite and cannot be installed prior to issuance of Certificate of Occupancy for the model unit(s).

5. Special Limitation: One flag for each 50 feet of exterior public street frontage, not to exceed 20 flags for each approved project in a developing residential area. Flags shall be replaced when they become torn, frayed, or have holes.

6. Zoning clearance for temporary flags needed; zoning clearance for extensions of temporary flags needed: Yes.

**H. Parking Lot Light Banners.**

1. Maximum Area: Eight square feet each, not to exceed two banners per pole.

2. Minimum Height: Bottom horizontal support shall not be affixed to the vertical light pole less than eight feet above the ground.

3. Permitted Zones: All commercial zones

4. Permitted Time: May be utilized for an indefinite period of time when in full compliance with applicable provisions of Chapter 34. Banners shall be replaced when they become frayed, torn, or have holes.

5. Number of Banners: No more than 25% of the parking lot lights shall be utilized for banners.

6. Zoning clearance for parking lot light banners needed: Yes.

**I. Freestanding Signs.**

1. Maximum Height: Six feet in residential zones; eight feet in commercial or industrial zones, as measured from adjacent finished grade.

2. Freestanding signs may be placed on landscaped mounds. All landscaped mounds shall comply with the development standards of Chapter 18.64 (landscaping) providing that mound slopes may not be steeper than 2 to 1 and no higher than three feet.

3. Support Structure: A freestanding sign must be affixed to the ground by means of two or more columns or similar structural components.

4. Permitted Zones: All Commercial, Industrial, PF, Mixed-use, and Open Space districts. Permitted in Residential zone districts with Master Sign Plan.

5. The maximum freestanding sign area shall be 50 square feet in all commercial, industrial, open space, public facilities. The maximum freestanding sign area shall be 35 square feet in all residential zoning districts.

6. Number of monument signs permitted shall be limited to one monument sign for each 125 linear feet of parcel frontage along a public street except that, upon the request of the applicant, monument signs closer to each other than an aggregate of 125 linear feet of parcel frontage along a public street shall be permitted when within 50 feet of the main entrances/exits of developments, such as a shopping center or office complex. Through the zoning clearance for signs review process, the Director or his/her designee will ensure the location of monument signs do not create an appearance of clutter along the street.

8. Zoning clearance for freestanding signs needed: Yes.

**J. Digital Display Signs.**

Digital display signs are subject to the following regulations in addition to all other requirements established in this Section.

1. Sign Type: Digital displays are permitted in the form of freestanding, monument, and wall signs when used as an on-site sign.

2. Height: A digital display shall have the same height limits as for other permitted signs of the same type and location.

3. Area: When used as an on-site sign, digital displays shall not exceed more than 30% of the total sign area permitted on the site.

4. Maximum Number per Property: Where permitted, one (1) digital display sign is permitted per property

5. Message Display:

a. Any Digital Display containing animation, streaming video, or text or images which flash, pulsate, move, or scroll is prohibited. Each complete message must fit on one screen.

b. One message/display may be brighter than another, but each individual message/display must be static in intensity.

c. The content of a digital display must transition by changing instantly, with no transition graphics (e.g., no fade-out or fade-in).

d. Default Design: The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.

6. Conversion of a permitted non-digital sign to a digital sign requires the issuance of a permit pursuant to Section 18.51.07.

7. The addition of any digital display to a nonconforming sign is prohibited.

8. Public Service Announcements: The owner of every digital sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts.

9. When used as an on-site sign, message center signs and digital displays are permitted only as a portion of the total sign area on the site.

10. A digital display sign may not be used as an off-site sign.

### **Section 18.51.06. Construction or Subdivision Signs; For Sale or For Rent Signs.**

A. Construction or subdivision project signs are considered permanent signs for purposes of the Chapter. Such signs shall not exceed 32 square feet in area, or eight feet in overall height, unless legally required by governmental contract to be larger. A construction or subdivision project sign shall require a zoning clearance for signs and may exist no longer than the period of construction. One sign is permitted per street frontage, with an exception for frontages exceeding 200 feet where one sign may be permitted for each 200 feet of street frontage.

B. For sale/for rent signs may be temporary or permanent signs depending on the length of time such signs shall be displayed. A no fee sign permit application for a for sale/for rent sign may be filed with the Planning Department and displayed for up to two 30-consecutive-day periods during a six-month time frame, not exceeding 120 display days within 12 months as provided in Section 18.51.05.D.4. If such a sign needs to be displayed longer than this time period, the applicant shall apply for a zoning clearance to convert such a sign to a permanent sign.

### **Section 18.51.07. Administration.**

A. Application and Processing.

1. Purpose. The purpose of a zoning clearance for permanent signs is to help ensure compliance with the provisions of this Chapter, in particular, the provisions regulating the design, illumination, location, materials, number, size, and type of sign, including structural and electrical provisions of the state building codes.

2. General application process for zoning clearance for permanent signs. Unless otherwise specified by this Chapter, the application for a zoning clearance for permanent signs must be made in writing on the form provided by the Planning Department and accompanied by the required fee established by City Council resolution. The application shall include the following information and items:

- a. The completed application form.
- b. Plans drawn to scale showing the design of the sign, including dimensions, sign size, colors, materials, method of attachment, source of illumination, and showing the relationship to any building, parcel, or structure to which it is proposed to be installed or affixed or to which it relates. Compliance with applicable state building codes including structural analysis, wind load calculations, and footing details shall be shown on the plans and signed by a structural engineer when applicable.
- c. A site plan, including all dimensions, drawn to scale indicating the location of the sign relative to the property line, rights-of-way, streets, sidewalks, vehicular access points, and existing or planned buildings or structures and off-street parking areas located on the premises.
- d. The number, size, type, and location of all existing signs on the same building, site, or premises.
- e. Proof of the consent of the property owner or other person in control or in possession of the property.

f. If a proposed sign would be an advertising display under the Outdoor Advertising Act (Business and Professions Code Sections 5200 and following), the applicant shall submit reasonable evidence demonstrating compliance with or exemption from the Act.

g. Such other information as the Director may reasonably request in order to establish that the proposed application is in full compliance with the provisions of this Chapter, the municipal code, and any other applicable law.

3. Processing Applications. The Director, or his/her designee, shall determine whether the application contains all of the information and items required by the provisions of this Chapter. If the Director or his/her designee determines that the application is not complete, the applicant must be notified in writing within 30 calendar days of the date of receipt of the application that the application is not complete and the reasons for such determination, including any additional information necessary to render the application complete. The applicant will then have 30 calendar days from receipt of comments to submit additional information to render the application complete. Failure to do so within this 30-day period renders the application void. Within 30 calendar days following receipt of an amended application or supplemental information, the Director or his/her designee must again determine whether the application is complete in accordance with the procedures set forth in this subsection. Evaluation and notification is to occur as provided above until such time as the application is found to be complete. All notices required by this Chapter are deemed given upon the date any such notice is either deposited in the United States mail or the date upon which a personal service of such notice is provided.

4. Findings for Approval. After reviewing a complete zoning clearance application for a permanent sign or signs, the Director or his/her designee, shall render a written decision to approve or deny the application within 30 calendar days of the complete application date. The Director's determination shall be based on the following findings:

- a. The proposed sign(s) comply with all development standards in Chapter 18.51.05;
- b. The placement and design of the sign(s) is compatible with the building or structure the signage is placed on;
- c. The proposed sign(s) is consistent with the City's General Plan and municipal code;
- d. The proposed design, character, location, number, type, size, illumination and maintenance of the proposed sign(s) maintain and enhance the City's appearance.

Decisions made on zoning clearance for signs shall not be based on the content of the signage.

5. Application process for temporary sign permits. A zoning clearance is not required for temporary signs/banners, but a no fee permit is required. The application for a sign permit may be made in writing on the form provided by the Planning Department or on some other written form acceptable to the Planning Director and accompanied by the required fee established by City Council resolution (if any). The application shall include the number and type of signs and the location(s) of these signs along with proof of the consent of the property owner or other person in control or in possession of the property where the sign(s) will be displayed, and for how long the temporary signs will be displayed.

B. Appeals.

1. Any person seeking to appeal a decision of the Director or his/her designee granting or denying an application for issuance of a zoning clearance for signs, revoking a permit, or ordering the remediation or removal of a sign, shall submit an appeal to the City Council in writing consistent with Chapter 18.80 (Appeals) and submit the appropriate fees as established by the City Master Fee Schedule.

2. Any person dissatisfied with the final action by the City Council may seek prompt judicial review of the action pursuant to the California Code of Civil Procedure Section 1094.8.

#### **Section 18.51.08. Hazardous Signs.**

Signs shall conform to the following provisions of the California Vehicle Code.

A. No person shall place, maintain or display upon or in view of any highway, any unofficial sign, signal or device, or any sign, signal or device which purports to be or is an imitation of, or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official sign or signal. (Cal. Veh. Code, section 21465).

B. No person shall place, maintain or display upon or in view of any highway, any light of any color of such brilliance as to blind or dazzle the vision of drivers upon said highway nor shall any light be placed in such position as to prevent the driver of a vehicle from readily recognizing any traffic sign or signal. (Cal. Veh. Code, section 21466.5).

C. The State Department of Public Works, members of the California Highway Patrol and local authorities are hereby authorized and empowered without notice to remove every prohibited sign, signal, device or light which is a public nuisance or cause the same to be removed or the director of said department, the chief of said patrol or local authorities may bring any action as provided by law to abate such nuisance.

#### **Section 18.51.09. Construction of Signs.**

A. No portion of any sign nor its supports shall be placed in a manner that it will in any way obstruct any fire escape, stairway, or fire sprinkler stand pipe, nor shall any such sign or any of its supports be attached to or supported by any fire escape.

B. No portion of any sign or its supports shall be so placed that it will interfere with human exit through any window of any room of any building.

C. No portion of any sign or its supports shall be placed so that it will obstruct any exterior door or required exit of any building.

D. No sign shall be placed that will obstruct any legally required light and ventilation.

E. No sign or portion of a sign shall be placed on any public right-of-way in such a manner which obstructs such public right-of-way. Any such sign is hereby declared a public nuisance and may be removed by the Director, Building Official or any other designated official.

#### **Section 18.51.10. Nonconforming Signs.**

A. General Requirements: A nonconforming sign structure shall not be:

1. Changed to another nonconforming sign structure or increased in area unless the height or area of the sign structure is made less nonconforming;

2. Structurally altered to extend its useful life; or
  3. Moved from its location to a new location.
- B. Face Changes: Sign copy and face changes within the existing boundaries of the nonconforming sign structure are permitted without obtaining a zoning clearance for signs.
- C. Modifications and Maintenance: Non-structural modifications or non-structural maintenance (i.e., painting, rust removal) are allowed without a zoning clearance for signs up to a maximum of 50 percent of the existing total area of the sign. Non-structural modifications or maintenance exceeding 50 percent of the existing total area of the sign, and all structural changes, shall comply with all applicable standards of this Chapter.
- D. Discontinued Use: If the use of a building or land associated with a legal nonconforming sign structure is discontinued for a period of six months or more, any sign structure shall thereafter conform to the provisions of this Chapter.
- E. Public Nuisances: No sign or portion of a sign shall be placed on any public right-of-way in such a manner which obstructs such public right-of-way. Any such sign is hereby declared a public nuisance and may be removed by the Director, Building Official, or any other designated official without notice if determined to be a safety hazard.
- F. Destroyed Signs: If, at any time, any nonconforming sign structure in existence or maintained on the effective date of the ordinance codified in this Chapter is destroyed by fire, accident, explosion or act of nature to the extent of more than 50 percent of the value thereof, without further action of the City, such sign shall, from and after the date of such destruction, be subject to all the provisions of this Chapter. For the purposes of this Chapter, the value of any sign shall be the estimated cost of replacement of the sign in kind as determined by the Building Official.
- G. Any sign that is nonconforming with the requirements of this ordinance shall either be removed or brought into conformance within five years from the effective date of this ordinance unless an administrative use permit is obtained to permit the sign to remain for an additional five-year period, at which time it shall be removed or brought into conformance.
- H. Administration of this section is not intended to conflict with the provisions of the Outdoor Advertising Act (Chapters 2 and 2.5, Sections 5200 – 5499.30 of the Business and Professions Code).

#### **Section 18.51.11. Exempt Signs, Flags, and Devices.**

The following signs, flags, and devices are exempt from the provisions of this Chapter:

- A. Flags of a governmental entity (e.g., United States, California, and , other governmental entities).
- B. Signs and devices erected by a public agency not subject to this Chapter.
- C. Signs erected by a public utility or common carrier to warn of dangers (e.g., the location of underground facilities and railroad crossings).
- D. Signs required to be maintained or posted by law or governmental order, rule, or regulation.
- E. Signs located entirely within structures.



### **Section 18.51.12. Prohibited Signs and Locations.**

Prohibited signs are as follows:

- A. Any sign designed for emitting sound.
- B. Any sign or sign structure which has become a public nuisance due to inadequate maintenance, dilapidation, or abandonment.
- C. Any sign which obstructs in any manner the ingress to, or egress from, a door, window, fire escape, or other access way required by building codes adopted by the City of Guadalupe.
- D. Any sign unlawfully installed, erected, or maintained.
- E. Any sign that encroaches into any City right-of-way and/or easement, except under-canopy, and projecting signs.
- F. Any sign that flashes, blinks, moves, changes color, appears to change color, changes intensity, or contains any part of attachment which does the same.
- G. Any sign that is inconsistent with the traffic safety sight area, pursuant to Resolution No. 2009-24 (Adopted City of Santa Maria Traffic Standards Manual).
- H. Any sign structure located so that it interferes with visibility at an intersection, public right-of-way, driveway, or other ingress/egress.
- I. Any pole sign.
- J. Any sign located or displayed on or over public property except as expressly permitted in this Chapter.
- K. Any sign attached to a tree or utility pole.
- L. Any sign structure erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the state, or rules and regulations duly promulgated by agencies thereof.
- M. Any sign structure adversely affecting traffic control or safety.
- N. Balloons, balloon-like objects, and blimps.
- O. Roof signs.
- P. Any sign on public property or property in which the City holds an interest unless otherwise authorized by this Chapter. A public utility easement (PUE) is an example of property in which the City holds an interest.
- Q. Off-Site Signs—Exception. Signs on property owned or controlled by the City, whose design is compatible with the objectives of this Chapter as determined by the Director or his/her designee through zoning clearance for signs.
- R. Bow/feather signs.
- S. Sandwich board signs (also referred to as “A-signs”).
- T. Inflatable signs, including those that exhibit motion through the use of a blower and controlled release of air.
- U. Triangle Pennant signs.

V. Mobile Billboard Advertising Displays: Pursuant to Section 22651(v) of the California Vehicle Code and sections amendatory or supplementary thereto, any peace officer, or any regularly employed and salaried employee of the City, who is engaged in directing traffic or enforcing parking laws and regulations in which the mobile billboard advertising display is located may remove the mobile billboard advertising display located within the territorial limits of the City when the mobile billboard advertising display is found upon any public street or any public lands, if all of the following requirements are satisfied:

1. When a vehicle is a mobile billboard advertising display and is parked or left standing in violation of this code, if the registered owner of the vehicle was previously issued a warning citation for the same offense;

2. A warning citation was issued to a first-time offender at least twenty-four (24) hours prior to the removal of the vehicle. The City is not required pursuant to Section 22651(v)(2) of the California Vehicle Code and sections amendatory or supplementary thereto to provide further notice for a subsequent violation prior to enforcement; and

3. The warning citation advised the registered owner of the vehicle that he or she may be subject to penalties upon a subsequent violation of this Chapter that may include the removal of the vehicle.

#### **Section 18.51.13. Signs in the Public Right-of-Way or Placing Citizens in Peril.**

The Director, Building Official or other designated official in Chapter 2 of this Code (Administration and Personnel) shall immediately cause the removal of any sign which, in the judgment of the Director, Building Official or other designated official, is found to be within the public right-of-way and/or easements and are found to place citizens in immediate peril. Said removal shall be by any or a combination of the following methods using sound judgment under the circumstances:

A. Removal or modification of said sign by City staff with business owner (or property owner if business has ceased operations) to be billed for time and materials related to the cost of said removal.

B. Notification orally or in writing to the business owner causing the removal of said signs within a 24 hour period or later period of time, as prescribed by the Director, Building Official or other designated official.

C. Immediate citation of the business owner (or property owner if business has ceased operations) or party responsible for said sign.

#### **Section 18.51.14. Severability.**

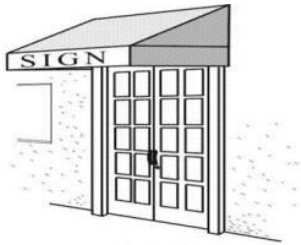
If any provision or clause of this Chapter or the application thereof is held unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, clauses, or applications of this Chapter which can be implemented without the invalid provision, clause, or application, it is hereby expressly declared that this ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, adopted, and/or ratified irrespective of the fact that any one or more sections, subsections, sentences clauses, and/or phrases be declared invalid or unconstitutional.



**Appendix: Illustration A (Bow/Feather Sign).**



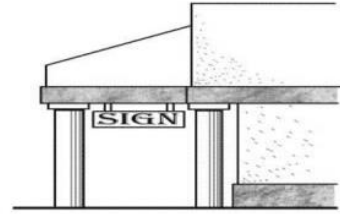
**Illustration B (Examples of Signs).**



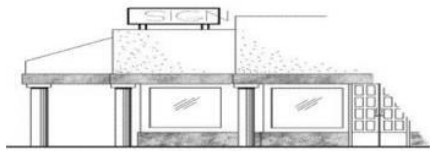
Awning



Wall



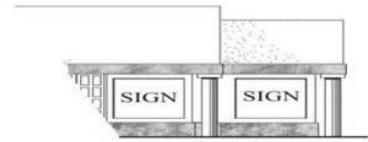
Under Canopy



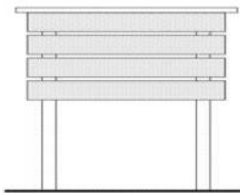
Roof



Projecting



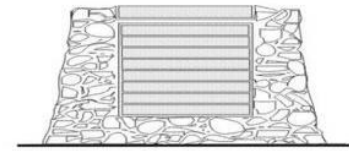
Window



Pole/Pylon



Changeable Copy Sign



Directory/Multi-Tenant

(Source: Santa Barbara County)