



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2671
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STAFF REPORT
October 7, 2008

Honorable Mayor and
Members of the City Council

Title: Amendments to the City's Sign Code (City Code Chapter 15.148) Relating to Real Estate Signs (Private Property and Public Right of Way) and Onsite Signs (Temporary and Permanent, Including Window Signs) (M07-015)

Location/Council District: Citywide

Recommendation: Provide comment and direction on signage in the City of Sacramento for: real estate signs (private property and public rights of way) and onsite signs (temporary and permanent, including window signs).

Contact: Sandra Yope, Senior Planner, (916) 808-7158; Joy Patterson, Principal Planner, (916) 808-5607

Presenter: Sandra Yope, Senior Planner

Department: Development Services

Division: Current Planning

Organization No: 21001010

Description/Analysis:

Issue: This is the fourth meeting in a series of Council meetings to address key issues and provide direction to staff as it prepares an ordinance updating the Sign Code to be consistent with current law and to address new types of signage and new practices of the sign industry.

To assist in amending the Sign Code, the City Attorney's Office has retained outside counsel, Randal Morrison of the law firm Sabine and Morrison. He specializes in the law pertaining to sign regulation, and has prepared sign codes for a number of California jurisdictions, as well as defended numerous challenges to sign codes of local jurisdictions.

At this meeting, staff seeks Council direction on how to address in the Sign Code the following issues: real estate signs (private property and public right of way) and onsite signs (temporary and permanent, including window signs).

Attachment 1 summarizes the relevant law and the options that are available to the Council in addressing the three issues.

Policy Considerations: Revising sections of the City Code associated with signs and their allowed locations is consistent with the City's Strategic Plan areas of Culture and Entertainment, Economic Development, and Enhancing Public Safety.

Committee/Commission Action: None

Environmental Considerations: None

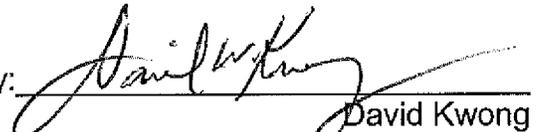
Sustainability Considerations: There are no sustainability considerations applicable to the request for City Council comment and direction on signage in the City of Sacramento.

Rationale for Recommendation: Staff needs direction from the Council regarding the appropriate updates to the Sign Code relating to current sign issues.

Financial Considerations: None

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by:


David Kwong
Planning Manager

Approved by:


William Thomas
Director of Development Services

Recommendation Approved:

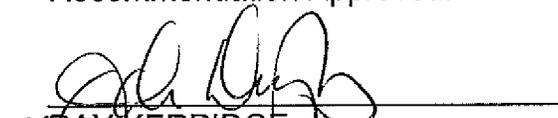

RAY KERRIDGE
City Manager

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ATTACHMENT 1

Discussion Paper on Sign Issues

Real Estate Signs (on private property and in the public right of way)

There are two distinct legal categories for real estate for sale (REFS) signs: those on private property, and those on city property - usually, the public right of way (PROW). The term "real estate sign" generally means those signs advertising real estate for sale, lease or rent on a permanent or long-term basis, but does not include signs offering short term vacancies such as signs displayed by hotels, motels, and bed and breakfast establishments.

Real Estate Signs on Private Property

The City's ability to regulate real estate signs on private property is restricted by Civil Code Sec. 713, which prohibits local jurisdictions from banning real estate signs on private property, on-site or off-site, but allows them to set reasonable rules as to location, design and dimensions. To avoid a conflict with the off-site sign/billboard regulations, the recommendation will be to define billboards in the sign code to be of a minimum square footage, which will be much higher than the maximum square footage allowed for real estate signage. Other distinguishing factors could be the permanence or temporariness of the structure, and degree to which the sign structure is easily moved.

The policy choices to the City include:

- **Option 1:** Say nothing in the code, and let Civil Code Sec. 713, self-policing and market pressures determine when and where real estate signs are displayed. This approach gives the city no say in size, height, setback, illumination or other location and structure rules.
- **Option 2:** Enact reasonable, time, place and manner restrictions, such as size, dimensions, location. This is the approach taken by most cities.

Civil Code Section 713 grants a special display right to a defined class of commercial speech. Thus, constitutional principles require equal display rights for persons who wish to display non-commercial messages on signs (i.e., politics, religion, etc.). The law is unsettled as to whether all varieties of commercial messages must be given equal display right.

Staff recommends Option 2, establishing reasonable time, place and manner restrictions. In developing these restrictions, consideration should be given to the size of the standard signs used by real estate companies, and it would be appropriate to limit the size of signage accordingly.

Real Estate Signs on City property (public rights of way)

The City has two basic options with regard to the posting or placement of real estate signs in the public rights of way (or on City property):

- **Option 1:** Ban signs in the PROW.
- **Option 2:** Permit signs in the PROW, subject to reasonable, content-neutral, time, place and manner restrictions.

The City has no obligation to allow any commercial signage in the PROW (although it must allow hand-held or personally attended signs displaying non-commercial messages). If real estate signage, or any other type of commercial message, is allowed in the PROW, then all varieties of non-commercial signage that conforms to the same time, place and manner regulations must also be allowed in the PROW. Currently, the City Code generally bans signs in the PROW. State law, Penal Code 556, makes it a misdemeanor to display commercial signs on government property without consent.

Staff recommends Option 1, a ban on real estate and all other commercial signs in the public rights of way and on all other real estate in which the city holds the present right of possession and control.

Onsite Signage (on private property)

"Onsite sign" is defined in the current sign code as "a sign directing attention to a business, commodity, service, or entertainment conducted, sold, or offered upon the same premises as those upon which the sign is maintained." The term "onsite signage" would encompass permanent signage as well as temporary signage (including signs in store windows advertising sales, grand openings or particular products).

If a sign on a car dealer's lot says "Buy your new car here today," it is an on-site commercial message. If the same sign says "Vote for candidate X," that is a non-commercial message; there is no location element for it. If the same sign says "Buy your new home this weekend at the beautiful new development three miles down the road," then is an off-site commercial sign. The courts have validated the distinction between on-site commercial and off-site commercial signs.

Permanent onsite signage

The Sign Code currently establishes limitations on the size, number and square footage of signs allowed in given zoning districts and, in some instances, for particular uses. Distinction is made between attached and detached signage. Copies of the current provisions of the Sign Code concerning onsite signage are included as Attachment 3. The attached excerpt from the Sign Code is the basic underlying regulation for signage in different land use zones. Other sections of the Sign Code regulate onsite signage exclusions, exceptions, and for special circumstances. Those

various sections of the Sign Code are not included in the attached excerpt.

A major policy debate is now over "digital signs" and similar technologies. These include "video signs," "LED signs," "changeable message centers," and other new technologies. The debate centers first on conversion of existing signage to digital display, and second on whether new signs may be built using digital and other electronic display methods. The debate concerns both billboards (off-site commercial) and traditional store signs (on-site commercial.)

Some cities, and a few states, have already banned digital conversion and/or or construction of new electronic signs. When the ban applies equally to all types of messages, the courts have approved the bans.

Options available to the Council when dealing with permanent onsite signage include:

- **Option 1:** Maintain the existing TPM (time, place and manner) rules for permanent on-site signage.
- **Option 2:** Provide direction as to which areas and locations the existing rules should be changed, to allow more, less, or different types of on-site commercial messages. If the new rules are more restrictive than the existing rules, and includes provisions to amortize non-conforming signs over time, without payment of compensation, then the city must conduct an inventory of signs which will eventually be amortized. After the inventory is complete, the City would then have to hold a reconfirmation hearing, to complete adoption of a new sign code. Compensation is required when the amortization grace period is less than 15 years.
- **Option 3:** Provide direction on the City's preferred policy regarding digital conversion and / or installation of new signs using changeable image, electronic display technologies.

Staff Recommends Option 1, to maintain the existing time, place and manner rules for permanent on-site signage, with amendments as appropriate and as necessary to bring the regulations consistent with current law. Maintaining the existing rules regarding on-site permanent signs avoids the inventory and reconfirmation procedures.

On the issue of digital displays and new technologies, it should be noted that the use of digital displays is in its infancy. The City could address the issues now, or it could prohibit such signage for the immediate future and wait a few years until other cities have had experience with regulating such signage. **Staff recommends that the Council direct staff to bring back for a future meeting a discussion of the issues surrounding digital conversion and/or installation of new signs or displays involving changeable image, electronic display technologies and digital displays.**

Temporary onsite signage

A sign's designation as "temporary" can flow from several factors:

1. **Temporary Message.** The message on the sign concerns a special event with a definite conclusion date. After that date passes, the sign's purpose is fulfilled. These can range from signs promoting a convention to advertising a special sale. Such "temporary message" signs can be placed on any structure.
2. **Temporary Structure.** The sign is made of lightweight, flimsy materials, and is easily assembled and installed using ordinary hand tools and materials from consumer stores. The most common examples are the stake signs pounded into the ground near intersections, often promoting "work at home" or "get rich quick" schemes, or promoting religious or political messages.
3. **Temporary Location.** Moveable signs which can be moved without machinery. A-frame and H-frame signs are in this "temporary location" category. This category can include signs on trailers. It is best to regulate "mobile billboards" (sign trucks), signs on water vessels and aircraft, inflatable balloons, etc. as well as signs which are worn (costumes) in entirely separate categories.¹

For purposes of this discussion, the focus is primarily on the second category of temporary signs - signs that are not permanently affixed to a structure or permanently installed on the grounds via footings, foundation, etc.

In terms of temporary onsite signs, the options available to the City include:

- **Option 1:** A ban on temporary onsite signs, with an accommodation for temporary signage of a noncommercial nature (political signage, issue or viewpoint signage, etc.).
- **Option 2:** A partial ban on temporary onsite signs, with location-based exceptions. The City has broad discretion in determining where such signage should be allowed, and under what conditions and restrictions. For example, the City may wish to restrict temporary and / or portable signage to the Central Business District (CBD) and specified commercial corridors.
- **Option 3:** Allowing temporary onsite signs, subject to time, place and manner restrictions. Alternatives would include specifying an overall amount of allowable signage, permanent and temporary, with discretion left to the property or business owner how to utilize such signage; specifying an overall amount of permanent signage and an overall amount of temporary signage. Concern has been expressed by Councilmembers about the "tacky" nature of some of the temporary signage, and also about the ostensibly "permanent" nature of some of

¹ A broad ban on mobile billboards enacted by the City of West Hollywood was recently upheld by an appellate court. That decision is subject to possible further review and hearing by the California Supreme Court.

the temporary signage. Regulations concerning the type of allowable temporary signage could be included in an effort to address these concerns. Limiting window signage to a specified percentage of window space, and requiring the window signage to be placed on the inside only, would address concerns expressed about window signage.

Staff recommends Option 3, allowing temporary onsite signs, subject to time, place and manner restrictions. Staff believes it would be appropriate to consider restricting temporary commercial signage to certain commercial areas or corridors.

ATTACHMENT 2

California Civil Code Sec. 713

§ 713. Right to display sign advertising property for sale, lease, or exchange

(a) Notwithstanding any provision of any ordinance, an owner of real property or his or her agent may display or have displayed on the owner's real property, and on real property owned by others with their consent, signs which are reasonably located, in plain view of the public, are of reasonable dimensions and design, and do not adversely affect public safety, including traffic safety, as determined by the city, county, or city and county, advertising the following:

- (1) That the property is for sale, lease, or exchange by the owner or his or her agent.
- (2) Directions to the property.
- (3) The owner's or agent's name.
- (4) The owner's or agent's address and telephone number.

(b) Nothing in this section limits any authority which a person or local governmental entity may have to limit or regulate the display or placement of a sign on a private or public right-of-way.

ATTACHMENT 3

Excerpt from Sacramento City Code Chapter 15.148 (Sign Code)

15.148.100 Regulations established.

The regulations in this article are adopted governing the number, size, type, location, subject matter and other provisions relating to signs within the various zones of the city as the zones are established and designated by the comprehensive zoning ordinance of the city. No signs shall be allowed in these zones unless exempt under this article or expressly permitted by this article, or unless such signs comply with the regulations established in Article IX of this chapter relating to legal nonconforming uses. (Prior code § 3.04.060)

15.148.110 Residential zones.

Within any R residential zone, signs or nameplates are permitted as follows:

- A. For each single-family home or duplex, one nameplate not exceeding a combined area of one square foot for each occupancy. Such nameplate shall not be subject to the permit requirements of this article.
- B. For rooming and boarding houses, one nonilluminated, attached identification sign, for each street frontage, not exceeding twelve (12) square feet in area.
- C. For churches, one identification sign, which may be attached or detached, not exceeding twenty-four (24) square feet in area for each street frontage. In addition, churches may have one bulletin board, not exceeding eight square feet in area. The square footage totals shall not be combined into one sign. A detached church identification sign shall be a monument type sign. The height of the monument sign shall not exceed six feet. The church identification sign may be placed in the landscaped setback area, however, it must be located farther than ten (10) feet from the public right-of-way.
- D. For multi-family uses, one sign not exceeding twelve (12) square feet in area per each street frontage. Signs may be attached or detached, however, detached signs must meet the following requirements:
 1. For multi-family uses, one project identification sign is permitted at each major entrance into the development. No more than one project identification sign is permitted per street frontage. For corner lots, a project identification sign may be substituted from a street front-age and placed within the landscaped setback area at the street corner.

Placement of said corner project identification sign shall adhere to the visibility requirements for corner lots in Chapter 17.60 of this code.

2. A project identification sign shall be a monument type sign or incorporated into a low profile decorative entry wall(s).
 3. The height of the monument sign shall not exceed six feet.
 4. The project identification sign(s) may be placed in the landscape setback area; however, it must be located farther than ten (10) feet from the public right-of-way.
 5. The primary material of the monument base or wall shall be decorative masonry such as brick, split face concrete block, stucco, or similar material which compliments the design of the main building(s).
 6. Individual or script letter type and project logo are examples of acceptable sign design. Backlit canned plastic signs are not permitted.
 7. If the project identification sign is placed on a free-standing monument base, a double-faced sign is permitted. If the project identification sign is affixed flat against a wall, one single-faced sign on each side of the driveway is permitted.
 8. The maximum area of sign devoted to sign letters (excluding logo) shall be twelve (12) square feet per sign.
- E. For all other nonresidential uses, one identification sign and one bulletin board for each street frontage not exceeding a total of sixteen (16) square feet in area. Attached signs shall be placed flat against a building or designed as part of an architectural feature thereof. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with. Any detached sign shall be a monument type sign. The height of the monument sign shall not exceed six feet. The detached sign may be placed in the landscaped setback area; however, it must be located farther than ten (10) feet from the public right-of-way.
- F. All illuminated signs in the residential zones, including bulletin boards, shall be indirectly illuminated. Directly illuminated signs are allowed subject to approval of a zoning administrator's special permit. (Prior code § 3.04.061)

15.148.120 A Agricultural zone.

Within an A agricultural zone, signs are permitted on each parcel as follows:

- A. One identification sign for each developed parcel not exceeding thirty-two (32) square feet in area indicating the name of the owner and/or property and products produced on the premises.

- B. Any other sign is permitted only with the prior approval of the planning commission.
- C. All signs shall conform to building setback requirements specified by the comprehensive zoning ordinance.
- D. No detached sign shall exceed a height of thirty-five (35) feet. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this article are complied with. (Prior code § 3.04.062)

15.148.125 RMX residential mixed-use zone.

- A. In the RMX zone, residential uses shall be allowed signs and name plates as provided in Section 15.148.110 Residential Zones.
- B. In the RMX zone, commercial uses shall be allowed signs as provided in Section 15.148.150 C-1 Limited Commercial Zone. (Ord. 2004-063 § 9)

15.148.130 OB Office building, R-O residential office and H hospital zones.

Within the OB office building and H hospital zones and when office uses are developed in the R-O residential office zone, signs are permitted as follows:

- A. One identification sign and one bulletin board per street frontage not exceeding a total of sixteen (16) square feet in area for all displays. Signs may be attached or detached.
- B. All signs shall be placed flat against a building or designed as part of an architectural feature thereof. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this article are complied with.
- C. All detached signs shall be monument type signs. The height of the monument sign shall not exceed six feet. All detached signs shall be located ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area.
- D. A special permit may be granted to permit signage in excess of that allowed by this section for facilities which regularly provide emergency medical care. (Prior code § 3.04.063)

15.148.140 SC shopping center and HC highway commercial zones.

Within the SC shopping center and HC highway commercial zones, signs are permitted as follows:

- A. One detached sign indicating only the name and nature of the occupancy for each developed parcel not exceeding one square foot of sign area for each lineal foot of street frontage abutting the developed portion of such parcel, provided that:
 - 1. Where a developed parcel has in excess of three hundred (300) feet of Street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.
 - 2. Where a developed parcel is permitted to have more than one detached sign under these regulations, the distance between said detached signs on each parcel shall be not less than three hundred feet.
 - 3. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.
- B. Two attached signs indicating only the name and nature of the occupancy, for each occupancy within the developed parcel. Such signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. Such signs shall be placed flat against the building, on an architectural projection, or attached to the underside of an architectural projection subject to the provisions of Sections 15.148.460 and 15.148.470.
- C. No detached sign shall exceed a height of thirty-five (35) feet. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this article are complied with.
- D. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel.

A sign may be located within or project into a required front or street sideyard setback area; however, no sign may project into or over an abutting public right-of-way except as otherwise provided for in this article. (Prior code § 3.04.064)

15.148.150 C-1 limited commercial zone.

Within the C-1 limited commercial zone, signs are permitted as follows:

- A. For each occupancy, one attached sign indicating only the name and nature of the occupancy. The total area for all such signs shall not exceed one square

foot of sign area for each front foot of building occupancy. Such signs shall be placed flat against the building, on an architectural projection, or attached to the underside thereof, subject to the provisions of Sections 15.148.460 and 15.148.470 of this chapter. No height limit is specified for signs placed flat against the wall of a building, or for other attached signs provided all other provisions of this article are complied with.

- B. One detached sign for each street frontage not exceeding twenty-four (24) square feet in area. All detached signs shall be monument type signs. All detached signs shall be located ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area. The height of the monument sign shall not exceed six feet. (Prior code § 3.04.065)

15.148.160 C-2 and C-4 commercial, M-1 and M-2 industrial zones.

Within the C-2 and C-4 (commercial), M-1 and M-2 (industrial) zones, onsite signs and offsite signs are subject to the following regulations:

A. Onsite Signs.

- 1. One detached sign for each developed parcel not exceeding one square foot of sign area for each lineal foot of street frontage abutting the developed portion of such parcel, provided that:
 - a. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.
 - b. Where a developed parcel is permitted to have more than one detached sign under these regulations, the distance between such detached signs on each parcel shall be not less than three hundred (300) feet.
 - c. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.
- 2. Two attached signs are permitted for each occupancy. Such signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. Such signs may be placed flat against a building, may be projected or nonprojected signs and may be located on an architectural projection or attached to the underside of an architectural projection subject to the provisions of Section 15.148.460 and 15.148.470 of this chapter.

3. The maximum height limit for detached signs shall be as follows:
 - a. In C-2 and C-4 zones: thirty-five (35) feet;
 - b. In M-1 and M-2 zones: forty (40) feet.

No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this article are complied with.

- B. Offsite Signs. Except as otherwise prohibited by this article, offsite signs are permitted in the C-2, C-4, M-1, and M-2 zones as follows:

1. All offsite signs shall be detached signs.
2. No offsite sign shall be located nearer than five hundred (500) feet to any other offsite sign on the same side of the street as such offsite sign. When an offsite sign is located on one street but is oriented to be viewed primarily from another street, no such sign shall be located nearer than five hundred (500) feet to any other offsite sign on the same side of the street on which it is located or any other offsite sign located on the nearest side of the street to which said sign is oriented.
3. An offsite sign shall not exceed three hundred (300) square feet in area.
4. The maximum height limit for an offsite sign shall be thirty (30) feet in the C-2 zone and thirty-five (35) feet in the C-4, M-1 and M-2 zones.
5. No offsite sign shall be located in the area bounded by Interstate 5 to the west, 17th Street to the east, H Street to the north, and Q Street to the south.
6. After October 29, 1981 no person shall erect an offsite sign in the C-2 zone unless the planning director has issued a C-2 offsite sign replacement permit for such sign. The planning director shall issue a C-2 offsite sign replacement permit only if (a) the total number of existing "replaceable" offsite signs located in the C-2 zone is less than the total number of "replaceable" signs listed in the final C-2 offsite sign roster, and (b) the owner of the proposed sign does not own or possess any other form of property interest in an existing "nonreplaceable" offsite sign located anywhere in the city. The C-2 offsite sign final roster shall be prepared as follows:
 - a. The owner, or his or her designee, of every offsite sign located in the C-2 zone on October 29, 1981 shall submit to the planning director on or before December 28, 1981 a written description of the location,

date of original erection, date of any structural alteration, date of any relocation, and, if available, a copy of the city sign permit or building permit issued for each such sign.

- b. On or before April 19, 1982, the planning director shall prepare a tentative roster, listing each offsite sign located in the C-2 zone on October 29, 1981 and sign located in the C-2 zone on October 29, 1981 and designating each sign as either "replaceable" or "nonreplaceable." For roster classification purposes only, an offsite sign shall be designated:
 - i. "Replaceable" if it was erected in conformance with the provisions of this article in effect on the date of erection and, if the sign was subsequently altered or relocated, such alteration or relocation conformed with the provisions of this article then in effect.
 - ii. "Nonreplaceable" if (a) it was erected, altered or relocated without issuance of a permit or permits as required by Section 15.148.030 of this chapter, or in violation of the terms of said permit or permits, or (b) it existed in 1970, was rendered nonconforming by the enactment of Ordinance No. 2868, and the amortization period specified in Section 15.148.790(A) of this chapter has passed.
 - c. The planning director shall mail the tentative roster to all persons who submitted information regarding an offsite sign, pursuant to subsection (B)(6)(c) of this section, and all other persons who have requested a roster. Notice of the availability of the tentative roster shall be published at least once in a newspaper of citywide circulation.
 - d. Any person who has received actual notice of the tentative roster shall notify in writing the planning director on or before May 17, 1982 if he or she believes the tentative roster is incorrect or incomplete, On or before July 12, 1982, the planning director shall prepare a final roster.
- C. General Provisions Relating to Location. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel.

With the exception of offsite signs, a sign may be located within or project into a required front or street sideyard setback area. However, no sign may project

into or over an abutting public right-of-way except as otherwise provided in this article. Offsite signs shall be located so as to provide and maintain the same front and street sideyard setbacks as are required for a building on the same parcel. (Prior code § 3.04.066)

15.148.170 M-1 (S) and M-2 (S) industrial park zones.

Within the M-1 (S) and M-2 (S) industrial park zones, signs advertising the business or products of the occupant are permitted as follows:

- A. One detached sign for each street frontage. Detached signs shall be a monument measured from the sidewalk or parking lot, whichever is lower. Sign shall not exceed forty-eight (48) square feet in area.
- B. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached monument type sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of said parcel.

Where a developed parcel is permitted is permitted to have more than one detached monument type sign under these regulations, the distance between said detached signs on each parcel shall be not less than three hundred (300) feet.

- C. Two attached signs for each occupancy. Said signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with.
- D. Monument sign may be placed within required front, sideyard, or rear yard setback area. However, monument sign shall be located ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area (Prior code § 3.04.067)

15.148.180 F flood zone.

Within the F flood zone, no sign shall be permitted unless prior approval therefor has been granted by the planning commission. (Prior code § 3.04.068)

15.148.190 CBD-SPD and arts and entertainment district boundary.

Within the CBD-SPD (C-3 zone) and the arts and entertainment district boundary, the following sign regulations shall apply:

- A. General Requirements.

1. A sign program shall be submitted with individual project application to the planning director. The sign program shall address:
 - a. Proposed location of signage;
 - b. Dimensions of signage area;
 - c. Materials and design guidelines including colors, letter types and sizes, use of logos/graphics, illumination method.
2. The content of exterior signage shall be limited to tenant's trade name and/or logo. In no case shall the wording of sign describe the products sold, prices, advertising slogans, except as part of the occupant's trade name or logo.
3. No signs shall be permitted above the building base or street-wall as defined in Section 4.0 of the architectural design guidelines. Corporate logos/graphics for main building tenant is permitted to be located above building base/street-wall subject to provisions of subsections (E)(6) and (7) of this section.
4. No off-street signage shall be allowed, unless specifically approved by the planning director.

B. Design Requirements.

1. The location of signs shall be only as shown on the approved plans by the planning director.
2. All electrical signs shall bear the UL label and their installation must comply with all local building and electrical codes.
3. No exposed conduit or raceways will be permitted.
4. All conductors, transformers, and other related equipment shall be concealed.
5. All sign fastenings, bolts, and clips shall be galvanized iron, stainless steel, aluminum, brass, or bronze, or black iron of any type will be permitted.
6. All exterior letters on signs exposed to the weather shall be mounted at least three-fourths inch from the building surface to permit dirt and water drainage.

7. Location of all openings for conduit and sleeves in sign panels of building shall be indicated on drawings.
 8. No signmaker's labels or other identification will be permitted on the exposed surface of signs, except those required by ordinance, which shall be located in an inconspicuous location.
 9. Installation of all signage shall be in accordance with the approved drawings by the planning director.
- C. Types of signage:
1. Flat mounted wall signs;
 2. Individual letters;
 3. Wall plaques;
 4. Logos;
 5. Objects;
 6. Window/awning graphics;
 7. Projecting signs.
- D. Quality of Materials. High-quality materials and finishes are required, and signage material must be weather-proof.
- E. Location and Size.
1. Attached Signs.
 - a. Maximum number of flat/projecting signs: two per occupant.
 - b. Maximum area of flat sign: three square feet per front foot of building occupancy, not to exceed forty-five (45) square feet.
 - c. Maximum height of flat sign: three feet.
 2. Projecting sign (no more than one per occupant).
 - a. Maximum area on side: twenty (20) square feet.
 - b. Maximum height of sign: ten (10) feet.
 - c. Maximum distance from building face to outer edge of sign: four feet.

- d. Minimum height from sidewalk to bottom of sign: eight feet.
3. Suspended Signs.
 - a. Maximum number of suspended signs: one per occupant.
 - b. Maximum area each face: nine square feet.
 - c. Maximum height: one foot and six inches.
 - d. Minimum height from sidewalk to bottom of sign: eight feet.
4. Awning/Canopy Signage.
 - a. Maximum height of letters: twelve (12) inches.
 - b. Logos/graphics: an identification emblem, insignia, logo, graphic or other similar feature not exceeding twenty-five (25) percent of surface area may be painted, placed, or installed on any awning or canopy provided that such feature comply with all other appropriate provisions of this article.
5. Banners.
 - a. Total maximum area per banner: forty (40) square feet.
 - b. Maximum number of banners: subject to planning director approval.
 - c. Banners in alleys: a banner which projects above a public alley shall be located not less than ten (10) feet above the alley grade, projecting pole mount must be no less than fourteen (14) feet above alley grade, and banner shall not project more than two feet from the building face.
6. Special Signage.
 - a. Subject to the review and approval of the planning director, retail businesses and facilities that are entertainment or culturally oriented and contribute to the active night-life of the CBD-SPD and the arts and entertainment district may be allowed creative signage which does not conform to the requirements of the SPD sign ordinance.
 - b. Examples of special signs include but are not limited to the following: exposed neon tubing, flashing, or traveling lights on theater marquees or nightclubs, etc.

7. Office Towers—Attached Signs. Signage on office buildings above the street-wall or building base as defined in Section 4.0 of the architectural design guide-lines is allowed subject to the following provisions:

- a. Logo or Graphic Symbol. The only signage permitted above the street-wall of a building (i.e., building tops) are corporate logos or graphic symbols. No word signs are permitted. The graphic symbol must be integral in design to the architectural style of the building.

The specific sign program shall be developed by a professional graphic artist or designer with demonstrated ability in sign design.

- b. Number. Two signs per building of the same logo/symbol. No more than one sign per building face.
- c. Materials, construction and design signs may be constructed of solid metal, marble, granite, ceramic tile or other comparable materials, which convey a rich quality, complimentary to the material of the building exterior. Example of acceptable metal materials are chrome, brass, stainless steel or fabricated and painted sheet metal. Plastic or wood signs are specifically prohibited.
- d. Illumination. Symbols/logos may be non-illuminated or internally illuminated to create a halo backlighted effect. Internally illuminated symbols/logos shall be lighted with white neon tubing and thirty (30) milliamperes transformers.

Lighting shall not produce a glare on other properties in the vicinity, and the source of the light shall not be visible from adjacent property or a public street.

Internally lit plastic signs are prohibited.

- e. Location. Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located.

A sign may be located in the "upper signage area." "Upper signage area" is defined as the area bounded by the (1) top of the windows of the tallest floor of the building; (2) the building parapet line; and (3) the two vertical edges of the building face on which the sign is attached.

A sign may be located outside the "upper signage area" if in a sign zone approved as part of the building design approval, or in a location approved by the planning director.

- f. Maximum Sign Area. A sign located in the "upper signage area" shall not exceed ten (10) percent of that area.

The length of the sign shall not exceed twenty-five (25) percent of the length of linear building face on which the sign is affixed.

In a scale consistent with the two preceding paragraphs, the planning director shall determine the maximum size of the following types of signs:

- i. Signs located other than as specified above;
 - ii. Signs located on buildings with a unique or unusual architectural design.
- g. If not specifically approved as part of the design approval for the building, the following types of signs shall require a zoning administrator's special permit pursuant to Chapter 17.212:
 - i. Signs not located in the "upper signage area," as defined in subsection (E)(7)(e) of this section.
 - ii. Signs which use construction materials other than marble, granite, ceramic tile or individual solid metal letters pursuant to subsection (E)(7)(c) of this section.

Except as provided in subsection (E)(7)(g) of this section, attached signs consistent with this section shall be subject to administrative permit issuance procedure.

- 8. Sidewalk Clocks. A sidewalk clock consistent with the architectural design of a building, storefront or streetscape theme is permitted subject to the review and approval of the planning director. (Prior code § 3.04.069)

15.148.193 Sacramento Railyards SPD.

The following sign regulations shall apply in the Railyards SPD.

A. General Requirements.

- 1. A sign program shall be submitted with each individual project application for a planning director urban development permit. The sign program shall address:
 - a. Proposed location of signage;
 - b. Dimensions of signage area;

- c. Materials and design guidelines including colors, letter types and sizes, use of logos/graphics, illumination method.

B. Design Requirements.

- 1. Sign design shall conform to the Railyards design guidelines.
- 2. The location of signs shall be only as shown on the approved plans by the planning director.
- 3. All electrical signs shall bear the UL label and their installation must comply with all local building and electrical codes.
- 4. Installation of all signage shall be in accordance with the approved drawings by the planning director.

C. Types of Signage.

- 1. Flat mounted wall signs;
- 2. Individual letters;
- 3. Wall plaques;
- 4. Logos;
- 5. Objects;
- 6. Window/awning graphics;
- 7. Projecting signs.

D. Quality of Materials. High-quality materials and finishes are required, and signage material must be weather-proof.

E. Location and Size.

- 1. Attached Signs.
 - a. Maximum number of flat/projecting signs: two per occupant, or one per building face plus one for each occupancy;
 - b. Maximum area of flat sign: fifteen (15) square feet per one thousand (1,000) square feet of gross leasable area for the first three thousand (3,000) square feet, with an

additional allowance of ten (10) square feet per one thousand (1,000) square feet of gross leasable area thereafter, not to exceed a total of one hundred (100) square feet;

- c. Maximum height of flat sign: three feet.
2. Projecting Sign (No More Than One Per Occupant).
 - a. Maximum area one side: twenty (20) square feet;
 - b. Maximum height of sign: ten (10) feet;
 - c. Maximum distance from building face to outer edge of sign: four feet;
 - d. Minimum height from sidewalk to bottom of sign: eight feet.
 3. Suspended Signs.
 - a. Maximum number of suspended signs: one per occupant;
 - b. Maximum area each face: nine square feet;
 - c. Maximum height: one foot, six inches;
 - d. Minimum height from sidewalk to bottom of sign: eight feet.
 4. Awning/Canopy Signage.
 - a. Maximum height of letters: twelve (12) inches;
 - b. Logos/graphics: an emblem, insignia, logo, graphic or other similar feature or copy not exceeding twenty-five (25) percent of surface area may be painted, placed, or installed on any awning or canopy provided that such feature complies with all other applicable provisions of this division.
 5. Banners.
 - a. Total maximum area per banner: forty (40) square feet;
 - b. Maximum number of banners: subject to planning director approval;
 - c. Banners in Alleys. A banner which projects above a public alley shall be located not less than ten (10) feet above the alley grade, projecting pole mount must be no less than fourteen (14) feet above

alley grade, and banner shall not project more than two feet from the building face.

6. Special Signage.
 - a. Subject to the review and approval of the planning director, retail businesses and facilities that are entertainment or culturally oriented and contribute to the active nightlife of the Railyards SPD area may be allowed creative signage which does not conform to the requirements of this chapter.
 - b. Examples of special signs include but are not limited to the following: exposed neon tubing, flashing, or traveling lights on theater marquees or nightclubs, etc.
7. Office Towers—Attached Signs. Signage on office buildings above the street-wall or building base is allowed subject to the following provisions:
 - a. Design. The signage must be integral in design to the architectural style of the building. The specific sign program shall be developed by a professional graphic artist or designer with demonstrated ability in sign design.
 - b. Number. No more than one sign per building face.
 - c. Materials, Construction and Design. Signs may be constructed of solid metal, marble, granite, ceramic tile or other comparable materials which convey a rich quality, complimentary to the material of the building exterior. Examples of acceptable metal materials are chrome, brass, stainless steel or fabricated and painted sheet metal. Plastic or wood signs are specifically prohibited.
 - d. Illumination. Signs may be no illuminated or internally illuminated to create a halo back-lighted effect. Internally illuminated signs shall be lighted with white neon tubing and thirty (30) milliampere transformers. Lighting shall not produce a glare on other properties in the vicinity, and the source of light shall not be visible from adjacent property or a public street. Internally lit plastic signs are prohibited.
 - e. Location. Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located. A sign may be located in the "upper signage area." "Upper signage area" shall be defined as the area bounded by the (1) top of the windows of the tallest floor of the building; (2) the building parapet line; and (3) the two vertical edges of the building face on which the sign is attached. A sign may be located outside the "upper signage area" if

in a sign zone approved as part of the building design approval, or in a location approved by the planning director.

- f. **Maximum Sign Area.** A sign located in the "upper signage area" shall not exceed ten (10) percent of that area. The length of sign shall not exceed twenty-five (25) percent of the length of linear building face on which the sign is affixed. The planning director shall determine the maximum size of the following types of signs:
 - i. Signs located other than as specified above;
 - ii. Signs located on buildings with a unique or unusual architectural design.
- g. If not specifically approved as part of the design approval for the building, the following types of signs shall require a zoning administrator's special permit pursuant to Chapter 17.212:
 - i. Signs not located in the "upper signage area," as defined in subsection (E)(7)(e) of this section.
 - ii. Signs which use construction materials other than marble, granite, ceramic tile or individual solid metal letters pursuant to subsection (E)(7)(c) of this section.

- F. **Sidewalk Clocks/Thermometer.** A sidewalk clock or thermometer consistent with the architectural design of a building, storefront or streetscape theme is permitted subject to the review and approval of the planning director. If the sidewalk clock is to be located in the public right-of-way or on public property, a revocable permit shall be required. (Ord. 2007-102 § 1)

15.148.195 TO transit overlay zone.

A. RMX-TO Zone.

- 1. In the RMX-TO zone, residential uses shall be allowed signs and name plates as provided in Section 15.148.110.
- 2. In the RMX-TO zone, commercial uses shall be allowed signs as follows:
 - a. One detached sign not exceeding twenty-four (24) square feet in area is permitted for each street frontage of a developed parcel. All detached signs shall be monument type signs. All detached signs shall be located ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area. The height of the detached sign shall not exceed six feet.

- b. One attached sign is permitted for each occupancy. The total aggregate area for all attached signs authorized by this subsection shall not exceed one square foot of sign area for each front foot of building occupancy. The linear footage of an attached sign shall not exceed seventy (70) percent of the linear footage of the occupancy. Attached signs shall be placed flat against the building, on an architectural projection, or attached to the underside thereof, subject to the provisions of Sections 15.148.460 and 15.148.470. No height limit is specified for signs placed flat against the wall of a building, or for other attached signs provided all other requirements of this article are met.
- c. One additional attached sign that is either projecting or on an architectural projection is permitted for each occupancy. Projecting signs authorized by this subsection shall not exceed a total area of five square feet and shall be located not less than eight nor more than twelve (12) feet above the public right-of-way. Signs on architectural projections authorized by this subsection shall be placed entirely below the architectural projection. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs and signs on architectural projections shall apply to signs authorized by this subsection.
- d. In addition to the signage allowed under subsections (A)(2)(b) and (c) of this section, if a commercial use in the RMX-TO zone is located in a building that is sited at the edge of sidewalk with the onsite parking located to the rear of the building and that maintains general public access to the commercial use from both the sidewalk side of the building and the onsite parking side of the building, then the sign allowance for attached signs for the commercial use shall be applied separately and cumulatively to both the sidewalk face of the building and the rear face of the building facing the onsite parking area.

B. C-2-TO Zone.

In the C-2-TO zone, signs shall be allowed as follows:

1. On-site Signs.

- a. One detached sign is permitted for each developed parcel not exceeding one square foot of sign area for each lineal foot of street frontage abutting the developed portion of such parcel, provided that:

- i. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.
 - ii. Where a developed parcel is permitted to have more than one detached sign under these regulations, the distance between such detached signs on each parcel shall be not less than three hundred (300) feet.
 - iii. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.
- b. The maximum height limit for detached signs shall be thirty-five (35) feet.
- c. Except as provided in subsection (B)(1)(d) of this section, two attached signs are permitted for each occupancy. Attached signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. Attached signs may be placed flat against a building, may be projecting or non-projecting signs, and may be located on an architectural projection or attached to the underside of an architectural projection. Any attached sign that projects over a public right-of-way shall not exceed a total area of five square feet and shall be no less than eight feet and no more than twelve (12) feet above the public right-of-way. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs shall apply to projecting signs in the C-2-TO zone.
- d. In lieu of the requirements of subsection (B)(1)(c) of this section, a building that is sited at the edge of sidewalk with its onsite parking located to the rear of the building and that maintains general public access to the commercial use from both the sidewalk side of the building and the onsite parking side of the building is permitted the following signs on the sidewalk side of the building and the onsite parking side of the building:
 - i. One attached sign is permitted for each occupancy. The signs may be placed flat against a building, may be projecting or non-projecting signs, and may be located on an architectural projection or attached to the underside of an architectural projection. An attached sign that projects over a public right-of-way shall not exceed a total area of five square feet and shall be

no less than eight feet and no more than twelve (12) feet above the public right-of-way. Except as specifically provided otherwise in this subsection (B)(1)(b) of this section, all of the provisions of this chapter relating to projecting signs shall apply to projecting signs in the C-2-TO zone.

- ii. One additional attached sign that is either a projecting sign or a sign on an architectural projection is permitted for each occupancy. Projecting signs authorized by this subsection shall not exceed a total area of five square feet and shall be located not less than eight nor more than twelve (12) feet above the public right-of-way. Signs on architectural projections authorized by this subsection shall be placed entirely below the architectural projection. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs and signs on architectural projections shall apply to signs authorized by this subsection.
 - iii. The total aggregate area of the signs permitted for each occupancy under subsections (B)(1)(d)(i) and (ii) of this section shall not exceed three square feet of sign area for each front foot of building occupancy.
2. Offsite Signs. In the C-2-TO zone, offsite signs shall be subject to the provisions of Section 15.148.160(B).
3. General Provisions Relating to Location.
 - a. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel.
 - b. With the exception of offsite signs, a sign may be located within or project into a required front or street sideyard setback area. However, no sign may project into or over an abutting public right-of-way except as otherwise provided in this article. Offsite signs shall be located so as to provide and maintain the same front and street sideyard setbacks as are required for a building on the same parcel. (Ord. 2004-063 § 10)

