

ORDINANCE NO. 1483

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUSTIN, CALIFORNIA, ADDING TUSTIN CITY CODE SECTION 9403d7; AMENDING TUSTIN CITY CODE SECTIONS 9402, 9403d2, 9403e11, 9403e13, 9404a1k, 9404a1n, 9404a3c, 9406D, and 9406E2; AND DELETING TUSTIN CITY CODE SECTIONS 9403e14, 9404a1s, and 9404C6, RELATING TO TEMPORARY OFF-PREMISES COMMERCIAL SIGNS AND TEMPORARY NON-COMMERCIAL SIGNS.

The City Council of the City of Tustin does hereby ordain as follows:

Section 1. The City Council finds and determines as follows:

- A. That on June 18, 2015, the United States Supreme Court issued a decision in *Reed v. Town of Gilbert, AZ*, and determined that the First Amendment generally prohibits cities from applying different regulations to signs based on the content of the signs.
- B. That the *Reed* decision reemphasized that sign regulations generally may not be based on the content of a sign, but must be content-neutral and rely on factors such as the time, place, and manner of placement, as well as physical characteristics of the signs, to distinguish between and regulate signs.
- C. That in response to the *Reed* decision, most cities nationwide need to review their existing sign codes to avoid conflicting with or violating the First Amendment.
- D. That the Tustin Sign Code categorizes signs based on their content by regulating and referencing the content of both commercial and non-commercial signs located either on private property or within the public right-of-way. To avoid conflicts with the law established by the *Reed* decision, several revisions to the City's sign regulations addressing temporary signs on private property and in the public right-of-way are proposed through Code Amendment 2017-004.
- E. That one of the objectives of the City's sign regulations is to maintain and enhance the quality of the City's appearance. This objective is achieved by avoiding sign clutter, promoting uniformity, and limiting off premises signs in order to control sign proliferation.
- F. That the proposed Code Amendment 2017-004 would: 1) continue to allow

temporary off-premises commercial signs and temporary non-commercial signs on private property and in the public right-of-way; and, 2) apply uniform standards that are not based on the content of the signs and regulate the size and placement of the signs.

- G. That proposed Code Amendment 2017-004 would generally maintain the City's appearance while allowing the placement of temporary signs on private and public property, including political signs, protected speech signs, human signs, non-profit event signs, real estate open house signs, and garage sale signs.
- H. That the City conducted public workshops on the subject of temporary signs on February 21, 2017, March 28, 2017, and August 8, 2017.
- I. That on November 28, 2017, the Planning Commission discussed the proposed code amendment at their regular meeting.
- J. That on February 13, 2018, a public hearing was duly noticed, called, and held on Code Amendment 2017-004 by the Planning Commission.
- K. That on February 13, 2018, the Planning Commission adopted Resolution No. 4344, and recommended that the City Council adopt Ordinance No. 1483, approving CA 2017-004 relating to temporary off-premises commercial signs and temporary non-commercial signs.
- L. That on March 20, 2018, a public hearing was duly noticed, called, and held on Code Amendment 2017-004 by the City Council.
- M. That the proposed code amendment is not subject to the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c) (2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in a physical change to the environment, directly or indirectly.
- N. That the proposed temporary sign provisions are reasonably necessary to protect the health, safety, and welfare of the citizens of the City of Tustin.
- O. That the proposed amendments are, and where interpretation is required shall be interpreted to be, consistent with the United States Supreme Court decision in *Reed v. Town of Gilbert, AZ*.
- P. That the proposed amendments are consistent with the Tustin General Plan in that they comply with the following goal:

Land Use Element Goal 4 to assure a safe, healthy, and aesthetically pleasing community for residents and businesses.

Section 2. The following definitions in Section 9402 of Chapter 4 of Article 9 of the Tustin City Code are hereby added, deleted, or amended to read as follows (new text underlined; deleted text in strikeout):

"Commercial enterprise" means a business that conducts business in the City of Tustin and holds a valid City of Tustin business license, unless it is exempt from having a business license.

"Commercial sign" means a sign relating to the sale of any merchandise, product, service, commodity or other item or activity for private benefit or gain. Commercial signs include, but are not limited to:

1. A business identification sign.
2. A garage sale sign
3. A real estate open house sign.

"Noncommercial sign" means any sign other than a sign relating to the sale of any merchandise, product, service, commodity or other item or activity for private benefit or gain. Noncommercial signs include, but are not limited to:

1. A political sign.
2. A protected speech sign.
3. A public event sign.
4. A non-profit event sign.

"Non-profit event sign" means a temporary sign advertising events and/or other promotions open to the public and sponsored by a non-profit organization.

"Off-premises sign" means a commercial sign or structure of any kind or character erected and/or maintained for advertising a business, activity, service or product not sold or produced on the premises upon which the sign is placed, including a billboard and any other outdoor advertising sign and structure."

"Portable sign" means any sign capable of being carried or readily moved from one location to another, including but not limited to an A-frame sign, "sandwich sign", a sign on wheels or a sign which leans against a stationary object, building or structure. Portable sign does not include a

~~directional/information~~ temporary off-premises commercial sign, political temporary noncommercial sign, or human sign.

"Public event ~~banner~~ sign" means a temporary sign installed by the City of Tustin advertising events and/or other promotions open to the public and sponsored by the City of Tustin.

"Special event" is an ~~irregular and unique~~ a commercial, civic, patriotic, religious, cultural, community, or political event that recurs irregularly, if at all, and that takes taking place on a specific date or dates. "Special event" does not include routine commercial promotions, ~~such as regular promotions of a national franchise.~~

~~"Snipe sign" means a temporary sign or poster which is posted, stuck, tacked or affixed to the ground, a tree, post, fence, utility pole, or other surface.~~

~~"Temporary directional/information sign" means a small off-site, staked, Temporary Sign identifying something incidental, including lost or found Persons, items, or pets or directing pedestrian and vehicular traffic to garage sales or homes for sale or lease which are open and available for inspection.~~

"Temporary sign" means any sign constructed of paper, cloth, canvass or other similar lightweight material, with or without frames, including painted windows, flags, streamers, pennants, banner signs and other signs not designed to be permanently attached to a building or anchored to the ground.

Section 3. Section 9403d2 of Chapter 4 of Article 9 of the Tustin City Code is hereby amended to read as follows (new text underlined; deleted text in ~~strikeout~~):

Public event ~~banner~~ signs. Public event ~~banner~~ signs may be located within the public right-of-way subject to the following restrictions and criteria:

(a) All public event ~~banner~~ signs posted on the structures approved by the City ~~shall be posted for a maximum of fourteen (14) days and shall be removed no later than seventy-two (72) hours after the event has occurred.~~

(b) All public event ~~banner~~ signs shall be professionally made and constructed of cloth, canvas, plastic, PVC or similar material, and have slits for proper wind resistance, where necessary.

(c) No banner sign shall exceed thirty-five (35) feet in horizontal length, with a maximum sign height or vertical dimension of four (4) feet.

~~(d) All banner signs shall contain copy on both sides with only white background and all copy colors shall be limited to a choice of two (2) colors.~~

~~(e) For purposes of administering the permit process, and for the City maintenance crew to install and remove the displays, a fee adopted by resolution of the City Council shall be charged.~~

~~(f) All applicants shall provide a certificate of general liability insurance in the amount adopted by resolution of the City Council naming the City of Tustin as an additional insured.~~

~~(g) Any banner sign for events with corporate sponsorship must limit the size of the corporate logo space to no more than twenty-five (25) percent of the total banner sign size.~~

Section 4. Section 9403d7 of Chapter 4 of Article 9 of the Tustin City Code is hereby added to read as follows (new text underlined)

Portable signs within the Cultural Resource District and/or Old Town Commercial General Plan land use designation. Portable signs for sidewalk-adjacent businesses within the Cultural Resource District and/or Old Town Commercial General Plan land use designation may be placed within the sidewalk adjacent to the identified business, subject to review and approval by the City of Tustin in accordance with established design guidelines.

Section 5. Section 9403e11 of Chapter 4 of Article 9 of the Tustin City Code is hereby amended to read as follows (new text underlined; deleted text in strikeout):

~~Temporary directional/information off-premises commercial signs may be located in any district, subject to the following criteria:~~

(a) Temporary off-premises commercial signs must be associated with a legitimate commercial enterprise in the City of Tustin for which permanent business identification signs are not authorized. A maximum of twenty (20) temporary off-premises commercial signs per commercial enterprise shall be allowed within the city limits at any one time.

(b) The signs shall not exceed ~~three (3)~~ four (4) square feet in size and four (4) feet in height.

(c) Signs may only be located in the public parkway area, subject to the visual clearance area requirements, except as otherwise allowed by local, state, or federal law. ~~A minimum of one-fourth (1/4) of a mile of street frontage shall be provided on any one (1) street between garage sale signs or signs identifying or describing a lost and/or found person, item, or pet.~~

(d) Signs are not permitted to be attached to any traffic control device, tree, street light or utility pole or placed so as to impede public sidewalks.

(e) Signs shall not be posted on Mondays, Tuesdays, Wednesdays, or Thursdays; or between the hours of 7:00 p.m. and 9:00 a.m. on Fridays, Saturdays, or Sundays.

(f) Signs shall only be posted between twenty-five (25) feet and three hundred (300) feet of a street intersection. A maximum of two (2) signs per commercial enterprise shall be posted per street intersection, and no more than one (1) sign per commercial enterprise shall be permitted in the public parking way area abutting any one (1) parcel of property.

(g) The name, address, and phone number of the responsible party shall be provided on the back of the sign. This information shall occupy a space no larger than ten (10) square inches.

(h) The responsible party for signs erected in the public parkway area shall be liable to the City of Tustin, private property owners and the general public for any injury to persons or property resulting from the placement and maintenance of the sign.

~~(h) — Open house signs in the public parkway area shall be subject to the following additional criteria:~~

~~(1) — Signs shall only include a directional arrow, the address of the open house, and the text "open house." Address letters and numbers shall be between two (2) and four (4) inches in height.~~

~~(2) — Along public streets, a maximum of one (1) sign shall be posted per open house per change of direction.~~

~~(3) — The sign shall provide directions to a house that is available and open for inspection in Tustin and the Tustin Sphere of Influence only.~~

Section 6. Section 9403e13 of Chapter 4 of Article 9 of the Tustin City Code is hereby amended to read as follows (new text underlined; deleted text in strikeout):

Temporary non-commercial ~~Political~~ signs ~~(except public event signs)~~, subject to the following criteria:

- (a) No person shall affix a temporary non-commercial ~~political~~ sign on any traffic signal, utility pole, traffic control device, or tree.
- (b) Written permission of the property owner is required for temporary non-commercial ~~political~~ signs placed on private property.
- (c) Temporary non-commercial ~~Political~~ signs on private property shall be limited to a maximum of thirty-two (32) square feet in size, and ten (10) feet in height.
- (d) The name, address and telephone number of the responsible party for posting the ~~political~~ temporary non-commercial sign shall be included on the sign.
- (e) Temporary non-commercial ~~Political~~ signs in the public parkway area are subject to the following additional criteria:

(1) Signs shall only be posted between twenty-five (25) feet and three hundred (300) feet of a street intersection. No more than one (1) sign per sponsoring individual or organization ~~three (3) identical political signs~~ shall be permitted in the public parkway area abutting any one (1) parcel of property.

(2) ~~Political~~ ~~s~~Signs shall be limited to a maximum of ~~six (6)~~ four (4) square feet in size and four (4) feet in height above grade.

(3) ~~Political~~ ~~s~~Signs shall not be installed or maintained in any manner so as to impede vehicles or permitted parking adjacent to curb, pedestrian walkways, hinder disabled access, or constitute a hazard to or endanger persons using the sidewalks.

(4) ~~Political~~ ~~s~~Signs shall not be located in any visual clearance area.

(5) Any person, party or group posting such ~~political~~ signs shall be liable to the City of Tustin, private property owners and the general public for any injury to persons or property resulting from the placement and maintenance of the sign.

(6) ~~All political signs pertaining to a particular election shall not be erected more than forty-five (45) days prior to the election to which the sign pertains and shall be removed within five (5) calendar days after the date of the election.~~ A temporary non-commercial sign shall be posted for

no more than forty-five (45) days per calendar quarter. Signs related to a specific event shall be removed no later than five (5) days after the event to which the sign relates. The date that the sign was posted and the name, address, and phone number of the responsible party shall be provided on the back of the sign within a space no larger than ten (10) square inches.

~~(7) — Any political sign posted in the public parkway area that is directly adjacent to a single-family residence shall require the approval of the owner of the single-family residence.~~

(8) If the Community Development Director finds that any political temporary non-commercial sign has been posted or is being maintained in violation of the provisions of this section, the responsible party shall be given notice to remove said sign(s) within twenty-four (24) hours from the time of said notice. The notice shall include a brief statement of the reasons for requiring removal. If the person so notified fails to correct the violation or remove the sign(s), the Community Development Director may cause said sign(s) to be removed without further notice. If the responsible party for the sign cannot in good faith be located within a reasonable time, the sign shall be deemed abandoned.

(9) Any political temporary non-commercial sign that remains posted for more than forty-five (45) six (6) calendar days after the election to which it pertains or for more than five (5) calendar days after the event to which the sign relates shall also be deemed abandoned. The Community Development Director may cause such abandoned signs and any signs, which constitute an immediate peril to persons or property to be removed summarily and without prior notice. The City shall assess a charge against any person, candidate, entity, party or group posting or placing signs in violation of this section for the cost incurred in the removal.

(10) ~~Political~~ Signs in the public parkway area in violation of this section shall be subject to removal by City in accordance with section 9405e1(b) of this Code.

(11) Any person who intentionally defaces, obliterates, tears down, or destroys a ~~political~~ sign installed in accordance with the provisions of this Code shall be subject to being charged with an infraction pursuant to section 1121 of this Code.

Section 7. Section 9403e14 of Chapter 4 of Article 9 of the Tustin City Code is hereby deleted in its entirety as follows (deleted text in strikeout):

~~Protected speech signs, subject to the following criteria:~~

~~(a) — No person shall affix a protected speech sign on any traffic signal, utility pole, traffic control device, or tree.~~

- ~~(b) — Written permission of the property owner is required for protected speech signs placed on private property.~~
- ~~(c) — Protected speech signs on private property shall be limited to a maximum of thirty-two (32) square feet in size, and ten (10) feet in height.~~
- ~~(d) — The name, address and telephone number of the responsible party for posting the protected speech sign shall be included on the sign.~~
- ~~(e) — Protected speech signs in the public parkway area are subject to the following additional criteria:~~
- ~~(1) — No more than three (3) protected speech signs shall be permitted in the public parkway area abutting any one (1) parcel of property.~~
- ~~(2) — Protected speech signs shall be limited to a maximum of six (6) square feet in size and four (4) feet in height above grade.~~
- ~~(3) — Protected speech signs shall not be installed or maintained in any manner so as to impede vehicles or permitted parking adjacent to curb, pedestrian walkways, hinder disabled access, or constitute a hazard to or endanger persons using the sidewalks.~~
- ~~(4) — Protected speech signs shall not be located in any visual clearance area.~~
- ~~(5) — Any person, party or group posting such protected speech signs shall be liable to the City of Tustin, private property owners and the general public for any injury to persons or property resulting from the placement and maintenance of the sign.~~
- ~~(6) — A protected speech sign shall be posted for no more than fifty (50) days. The responsible party shall indicate on the back of the sign the date that the sign was posted.~~
- ~~(7) — Any protected speech sign posted in the public parkway area that is directly adjacent to a single-family residence shall require the approval of the owner of the single-family residence.~~
- ~~(8) — If the Community Development Director finds that any protected speech sign has been posted or is being maintained in violation of the provisions of this section, the responsible party shall be given notice to remove said sign(s) within twenty-four (24) hours from the time of said notice. The notice shall include a brief statement of the reasons for requiring removal. If the person so notified fails to correct the violation or remove the sign(s), the Community Development Director may cause said sign(s) to be removed without further notice. If the responsible party for the sign cannot in good faith be located within a reasonable time, the sign shall be deemed abandoned.~~

~~(9) Any protected speech sign that remains posted for more than fifty (50) days shall also be deemed abandoned. The Community Development Director may cause such abandoned signs and any signs, which constitute an immediate peril to persons or property to be removed summarily and without prior notice. The City shall assess a charge against any person, candidate, entity, party or group posting or placing signs in violation of this section for the cost incurred in the removal.~~

~~(10) Protected speech signs in the public parkway area in violation of this section shall be subject to removal by City in accordance with section 9405e1(b) of this Code.~~

~~(11) Any person who intentionally defaces, obliterates, tears down, or destroys a protected speech sign installed in accordance with the provisions of this Code shall be subject to being charged with an infraction pursuant to section 1121 of this Code.~~

Section 8. Section 9404a1k of Chapter 4 of Article 9 of the Tustin City Code is hereby amended to read as follows (new text underlined; deleted text in strikeout):

Off-premises signs, except those erected or caused to be erected by the City, temporary directional/information off-premises commercial signs, human signs, and temporary noncommercial signs.

Section 9. Section 9404a1n of Chapter 4 of Article 9 of the Tustin City Code is hereby amended to read as follows (new text underlined; deleted text in strikeout):

Portable signs, except those approved by the City within the Cultural Resource District and/or Old Town Commercial General Plan land use designation.

Section 10. Section 9404a1s of Chapter 4 of Article 9 of the Tustin City Code to deleted in its entirety as follows (deleted text in strikeout):

~~Snipe signs.~~

Section 11. Section 9404a3c of Chapter 4 of Article 9 of the Tustin City Code is hereby added to read as follows (new text underlined; deleted text in strikeout):

Signs on any public property, public right-of-way, and public parkway area. Signs on any public property, within public right-of-way, including the public parkway area, traffic control sign posts, utility poles, and trees are prohibited. No person, except a public officer in performance of public

duty, shall affix by any means any form of Sign on any public property or within the public right-of-way. Temporary directional/information off-premises commercial signs, temporary noncommercial signs, and human signs shall be permitted within the public parkway area, but only in strict accordance with section 9403e.

Section 12. Section 9406C6 of Chapter 4 of Article 9 of the Tustin City Code is hereby deleted as follows (deleted text in ~~strikeout~~):

6.Residential (Off-site)	Stakes	No	3	One per open house per change of direction	4	In public right-of-way between curb line and the sidewalk subject to visual clearance requirements	No	a. Subject to the regulations of Section 9403e11 of this Chapter. b. Limited to individual homes for sale or rent. Not permitted for apartment projects.
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Section 13. Section 9406D of Chapter 4 of Article 9 of the Tustin City Code is hereby amended to read as follows (new text underlined; deleted text in ~~strikeout~~):

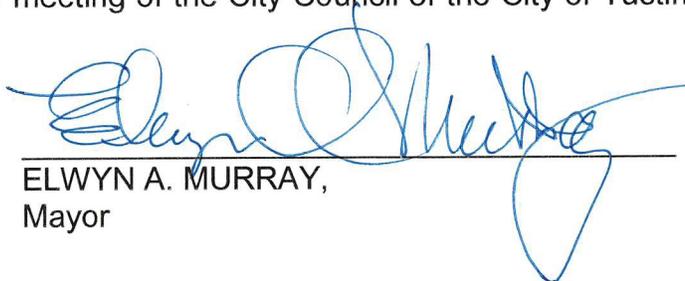
D. <u>Off-premises commercial Directional or Information</u> (off-site)	Stake	No	34	A minimum of <u>1/4 mile of street frontage between signs identifying the same subject. A maximum of two (2) signs per commercial enterprise shall be posted per street intersection and one (1) sign abutting any one (1) parcel.</u>	4	In public right-of-way between curb line and the sidewalk subject to visual clearance requirements	No	a. Subject to the regulations of Section 9403e11 of this Chapter. b. Permitted for <u>incidental activities legitimate commercial enterprise in the City of Tustin for which business identification signs are not allowed.</u>
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Section 14. Section 9406E2 of Chapter 4 of Article 9 of the Tustin City Code is hereby amended to read as follows (new text underlined; deleted text in ~~strikeout~~):

2. <u>Public Nonprofit</u> events	Banner	Yes	140; Maximum horizontal width of 35 feet	One	On designated light poles only. Maximum vertical height of 4 feet.	Within the public right-of-way.	No.	a. Subject to the regulations in Section 9403d of this Chapter. b. Permitted only for events and promotions open to the public and sponsored by the City of Tustin.
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Section 15. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Tustin hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Tustin on this 3rd day of April, 2018.



ELWYN A. MURRAY,
Mayor

ATTEST:



ERICA N. RABE,
City Clerk

APPROVED AS TO FORM:


DAVID E. KENDIG,
City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF TUSTIN)

CERTIFICATION FOR ORDINANCE NO. 1483

Erica N. Rabe, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, does hereby certify that the whole number of the members of the City Council of the City of Tustin is five; that the above and foregoing Ordinance No. 1483 was duly and regularly introduced and read by title only at the regular meeting of the City Council held on the 20th day of March, 2018, and was given its second reading, passed and adopted at a regular meeting of the City Council held on the 3rd day of April, 2018, by the following vote:

COUNCILMEMBER AYES:	<u>Murray, Gomez, Puckett, Bernstein, Clark</u>	(5)
COUNCILMEMBER NOES:	_____	(0)
COUNCILMEMBER ABSTAINED:	_____	(0)
COUNCILMEMBER ABSENT:	_____	(0)



ERICA N. RABE,
City Clerk

CHAPTER 4 - SIGN REGULATIONS

9401 - PURPOSE

The purpose of this Chapter is to promote community identity and effective business identification through the regulation and design of signs and sign structures within the City of Tustin. Because signs and graphics are an essential element of our community, their location, number, size and design have a significant influence upon the community's visual and economic environment. The regulation of signs is considered necessary to promote and protect the public health, safety and welfare through consideration of traffic and pedestrian safety and community aesthetics.

(Ord. No. 1321, Sec. 2, 4-3-07)

9402 - DEFINITIONS

The following terms as used in this Chapter shall have the respective meanings as set forth except when the context clearly indicates otherwise. For ease of reference, each term that is defined in this section appears in title caps in the text of this Chapter. A supplemental graphic presentation of certain definitions is provided as information and is included as section 9412.

"Abandoned sign" is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

"Act of God" is a natural occurrence such as wind, rain, flood, fire or earthquake.

"Aerial sign" is a sign which is inflatable or designed to be flown or attached to the ground, building, structure or other object, which may or may not include copy.

"A-frame sign" means a Sign generally not securely attached or fixed to the ground or to a permanent structure used as a stationary advertising device and usually supported by two (2) upright sign faces.

"Aggregate area" is the combined permitted Sign sizes of all signs on any one (1) parcel, site, building, structure or other premises, excluding temporary signs, noncommercial signs, special event signs, public information signs and traffic signs.

"Alter" means to change color (other than copy color), size, shape, position, location, or method of illumination of a sign. This shall not include replacement of face copy on cabinet type signs.

"Animated sign" means any sign designed to attract attention through movement or the semblance of movement of the whole or any part, including, but not limited to, signs which swing, twirl, revolve, move back and forth or up and down; or signs which can change color or shades of color; or any other method or device which suggests movement, but not including flags or banner signs.

"Arcade" is a covered passageway projecting from the exterior wall of a building and supported by posts or columns attached to the ground.

"Arcade sign" means a sign projecting beneath or on the underside of any structural overhang or passageway and perpendicular to the front building facade; see section 9412.

"Attached sign" is any sign permanently affixed to a building or affixed to the external surface of a building (including wall signs).

"Audible sign" is any sign that contains loudspeakers or emits sounds.

"Automobile service business" is a business whose primary purpose is gasoline sales, ancillary uses may include auto repair, tire sales and auto supply sales.

"Awning" is a roof-like structure extending over a door, window or all or any portion of a building wall and projecting from and supported by the exterior wall of a building; see section 9412.

"Awning sign" is a Sign painted on, printed on or attached to the front surface of an awning.

"Balloon" means a sphere of nonporous material filled with air or gas.

"Banner sign" means any publicly visible advertising device, not on the interior side of a window, made of cloth, paper, plastic, cardboard, metal or any other usually flexible material, which may indicate the identity or give or ask information about or convey a message, either directly or indirectly, about a person, entity, business, commodity, service or idea.

"Beacon" means any stationary or moving light source or light with one (1) or more beams that rotate or move located outside of or inside a building, or within three (3) feet of a window and flashing with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source.

"Bench sign" means a seat located upon or adjacent to a public or private right-of-way for the purpose of persons resting and which is capable of displaying a sign or advertising device.

"Building frontage" means the lineal extent of a building which fronts on either a street or parking area and used as the basis for determining the maximum sign area and number of signs allowed; see section 9412.

"Bulletin board" means a Sign that signifies an institution or organization on the premises of which it is located and that contains the name of the institution or organization, the names of the individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.

"Business identification sign" is a Sign which serves to identify only the name, address, and lawful use of the premises upon which it is located and shall not include the listing of pricing information or specific brand names unless the pricing or brand name is incorporated into the name of the business or is a trademark or company name symbol identifying the business or activity provided as in the case of a logo. Said signage is not intended as an advertising device. Identification of product, trade and service information is permitted, and is considered supplemental provided it is subordinate to business identification. Supplemental signs shall be considered subordinate if no more than twenty-five (25) percent of the total allowable sign area is used for this purpose.

"Canopy," same as "awning".

"Canopy sign," same as "awning sign".

"Center " is a commercial, industrial or professional use, consisting of one (1) or more buildings sharing common facilities such as off-street parking, access or landscaping. In each case, a center will consist of two (2) or more retail stores or businesses, but may not necessarily be under a single ownership.

"Center identification sign" means any freestanding sign which advertises or directs attention to a shopping center or area having two (2) or more separate businesses or activities therein.

"Changeable copy sign" means a sign on which the copy changes either automatically through mechanical means, electrical or electronic time or temperature controls or manually in the field.

"Channel letters" means individual letters or figures, illuminated or nonilluminated, affixed to a building or freestanding sign structure.

"Commercial enterprise" means a business that conducts business in the City of Tustin and holds a valid City of Tustin business license, unless it is exempt from having a business license.

"Commercial sign" means a sign relating to the sale of any merchandise, product, service, commodity or other item or activity for private benefit or gain. Commercial signs include, but are not limited to:

1. A business identification sign.
2. A garage sale sign
3. A real estate open house sign.

"Community Development Director" means the City of Tustin Community Development Director or his or her designee.

"Construction sign" means a temporary sign identifying the name of the project under construction, street address, emergency phone number and name of person to contact; see section 9412.

"Corporate flag" means a flag which has the name, logo, trademark, or symbols of a business or corporation which cannot be construed to mean official flags.

"Copy" means any words, letters, numbers, figures, designs or other symbolic representations illuminated or non-illuminated incorporated into a sign.

"Decorative flag" means a temporary sign made of fabric or any non rigid material which is individually mounted a flag pole device and is not a corporate flag or official flag.

"Double-faced sign" is a sign with two (2) faces that are placed back-to-back with a distance separation of no greater than eighteen (18) inches and in which both faces cannot be viewed from any point at the same time.

"Electrical sign" means any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source for the purposes of illuminating its surface.

"Erect" means to build, construct, attach, place, suspend, affix or install.

"Exempt sign" means signs exempt from the permit requirements of this Chapter.

"Facade" means the exterior walls of a building exposed to public view.

"Festoons" means a nonmetallic string of ribbons, nonmetallic tinsel, small flags, pinwheels, bunting, pennants and other like items.

"Flag" means cloth or other lightweight material of distinctive size, color and design, used as a symbol, standard, signal, emblem, or a device used to attract attention.

"Flashing sign" means any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

"Flat Roof" means a roof having no slope, or one with only a slight pitch so as to drain rainwater. (Ord. No. 1429, Sec. III.1, 5-21-13)

"Freestanding sign" means any non-moveable sign not affixed to a building, including but not limited to pole signs, ground signs, and construction signs; see section 9412.

"Freeway sign" is a sign whose purpose is to identify a specific service oriented business (those offering eating facilities, lodging accommodations or an automobile service business) which is located adjacent to the freeway right-of-way, or separated from the right-of-way by a frontage road.

"Garage sale sign" means a temporary sign announcing the limited sale, from a private residence, of goods, furniture, clothing or other similar articles.

"Height" means the vertical distance measured from the highest point of the sign including any architectural, ornamental or structural element of the sign to the finished grade adjacent to the sign

structure. When calculating sign area, height is the vertical distance from the highest point to the lowest point of the sign.

"Human sign" means a sign that is held or worn by a person.

"Identification sign" means a sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified and shall not include a listing of pricing information or of specific brand names unless the pricing or brand name is incorporated into the name of the business or is a trademark or company symbol identifying the business or activity. Identification of product, trade and service information is permitted, and is considered supplemental provided it is subordinate to business identification. Supplemental signs shall be considered subordinate if no more than twenty-five (25) percent of the total allowable sign area is used for this purpose.

"Illegal sign" means a sign not permitted or exempted by this Chapter at the time of its construction or erection.

"Illuminated sign" is a sign which has characters, letters, figures, designs, logograms, pictures or outlines illuminated by a source of energy directly or indirectly in order to make the message visible. The definition shall include internally and externally lighted signs and reflectorized, glowing and radiating signs.

"Incidental sign" means a sign, emblem, or decal informing the public of services available on the premises such as a credit card sign or a sign indicating hours of operation or emergency phone number.

"Individual business" means a single commercial enterprise which is physically separate from and does not relate to any other commercial business, and is not a part of a shopping center.

"Install" means to build, paint, erect, hang or in any manner affix or modify in any way.

"Legal Nonconforming Sign" means a sign that was lawfully erected which does not comply with the most current adopted sign restrictions and regulations. (Ord. No. 1397, Sec. 9, 11-15-11)

"Light bulb strings" means external or internal displays within twelve (12) inches of the inside of the window which consist of light bulbs, or strings of open light bulbs or lighted tubing.

"Location" means a position on a Site or on a building where a sign may be placed. The location is regulated by setbacks from property lines for free-standing signs or a height limitation for wall mounted signs.

"Logo" means a name, symbol, feature or trademark that represents a business, enterprise, group or activity.

"Maintenance (of signs)" means, for the purposes of this chapter, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

"Mansard" means a sloped roof or roof-like facade designed to give the appearance of a full pitched roof; see section 9412.

"Marquee" means a permanent roof-like structure over an entry, projecting from and supported only by the exterior wall of a building. A marquee is architecturally a part of the building; see section 9412.

"Master Sign Plan" means a comprehensive program for coordinating all tenant signs within a center.

"Menu board sign" means a sign displaying food or items sold on the premises.

"Monument sign" is any free-standing Sign mounted directly on a planter or pedestal base without air space beneath as distinguished from the support of a pole or poles and which is designed

to incorporate features and building materials which complement the architectural theme of the buildings on the premises.

"Multi-tenant identification sign (directory)" means a sign constructed so as to permit individual identification of businesses within a shopping, professional or industrial center. Such signs are solely for the purpose of identification of a business by name, general service or trade, and not to include the listing of individual products or services offered.

"Nameplate" means a non-electric or mechanical on-premises identification plate, plaque or sign giving only the name, address, and/or occupation of an occupant or group of occupants; less than two (2) square feet in size.

"Neon" means a glass tube filled with gas that emits light when energized.

"Noncommercial sign" means any sign other than a sign relating to the sale of any merchandise, product, service, commodity or other item or activity for private benefit or gain. Noncommercial signs include, but are not limited to:

1. A political sign.
2. A protected speech sign.
3. A public event sign.
4. A non-profit event sign.

"Nonconforming sign" means a sign erected legally which does not comply with the most current adopted sign restrictions and regulations.

"Non-profit event sign" means a temporary sign advertising events and/or other promotions open to the public and sponsored by a non-profit organization.

"Official flag" means flags of the United States of America, the State of California, City or other governmental agency.

"Off-premises sign" means a commercial sign or structure of any kind or character erected and/or maintained for advertising a business, activity, service or product not sold or produced on the premises upon which the sign is placed, including a billboard and any other outdoor advertising sign and structure."

"On-premises advertising display" means any structure, housing, device, figurine, statuary or other contrivance of a permanent or portable nature which is designed and intended to advertise specific products or services, services available or goods sold on the premises which the business or display is located or upon the building within which the business is located; see definition of "premises".

"On-premises sign" means a sign which displays the name, use, service, trade or trademark, or symbol of the business or business activity provided on the premises on which the business or business activity is located.

"Open house sign" means a sign which identifies a building for sale or lease which is open and available for inspection.

"Ornamental sign" means a sign that includes decorative design details fabricated out of wrought iron, wood or similar product with the intent of making the Sign more compatible with the residential property on which it is located.

"Owner" means a person recorded as such on official records and including any duly authorized agent or notary, a purchaser, devisee, judiciary and any person having a vested or contingent interest in the property in question.

"Painted sign" means any sign which is applied with paint or similar substance to the face of a wall, arcade, canopy or marquee of a building.

"Parapet" means an extension of the structural walls, or other architectural feature screening from view on all sides of a building the rooftop equipment; see section 9412.

"Parcel" or "lot" means:

1. A parcel of real property which is shown as a single lot in a lawfully recorded subdivision, approved pursuant to the provisions of the Subdivision Map Act (California Business and Professions Code, Sec. 11500, et seq.); or
2. A parcel of real property, the dimensions and boundaries of which are defined as a single lot by a lawfully recorded record of survey map; or
3. A parcel of real property shown on a parcel map as a single lot, lawfully recorded pursuant to the provisions of the Subdivision Map Act (California Business and Professions Code, Section 11500, et seq.); or
4. Two (2) or more parcels of real property which are combined by an appropriately recorded written instrument or by common fee ownership and usage.

"Pennant" means a flag that tapers to a point or a forked double-point, and is often used alone or in a series and suspended from a rope, wire or string.

"Permanent directional/information sign" means an on-premises sign giving directions, instructions, or facility information such as parking locations, exits, entrances, time and temperature. Such signs may not contain the name or logo of an establishment or information of a commercial nature.

"Persons" means any person, firm, partnership, association, corporation, company or organization of any kind whatsoever.

"Plaque" means a flat thin piece of metal (or other material) placed on a building to identify a Site or an event or to commemorate an individual or an event.

"Pole sign" means any free-standing sign supported by a structural member(s) with air space between the grade level and the bottom of the sign face.

"Political sign" means any sign pertaining to a candidate for public office or a ballot issue pending before the electorate at a specific election.

"Portable sign" means any sign capable of being carried or readily moved from one location to another, including but not limited to an A-frame sign, "sandwich sign", a sign on wheels or a sign which leans against a stationary object, building or structure. Portable sign does not include a temporary off-premises commercial sign, temporary noncommercial sign, or human sign.

"Premises" means the building as it relates to a wall sign within which a business is located; or as it relates to a ground sign, premises is defined as the project site upon which the business is located.

"Primary wall" means a building wall containing a primary store entrance/exit which faces onto a street or designated parking area.

"Project identification sign" means a temporary sign identifying a future occupant, project developer, architect, engineer, contractor or others participating in construction on the property on which the sign is located; see section 9412.

"Projecting sign" means any sign which is not substantially parallel to the surface or plane of the supporting wall, fence, canopy or marquee to which it is attached.

"Protected speech sign" means any sign containing a message of public interest, and containing no commercial speech. For the purpose of this Chapter, the term "protected speech sign" does not include political signs.

"Public event sign" means a temporary sign installed by the City of Tustin advertising events and/or other promotions open to the public and sponsored by the City of Tustin.

"Public parkway area" means the strip of land between the curb line and the sidewalk, and any City landscape easement adjacent to the public right-of-way.

"Public right-of-way" means and includes all public streets, curbs, medians, islands, sidewalks and utility easements, now or hereafter owned in fee or easement by the City.

"Public safety area" means a strip of land, twenty (20) feet in width, running parallel with, adjacent to and measured from the public right-of-way line. The public right-of-way line is the same as the property line; see section 9412.

"Real estate sign" means a temporary sign advertising the sale, lease or rent of the property upon which it is located, and the identification of the person or firm handling such sale, lease or rent.

"Replacement value" means the total actual cost to repair or restore a sign to its original condition.

"Responsible party" means the owner of the sign or, where ownership is not known, the owner of the property where the Sign is posted. In the absence of persuasive evidence to the contrary, the person who benefited from the sign shall be presumed to be the person who was responsible for the placement of the sign. For open house signs, the responsible party shall be the real estate licensee holding the open house and that real estate licensee's real estate broker of record.

"Rider" means a changeable portion of a real estate sign that includes specific information relating to the property or broker.

"Roof line" means either the uppermost edge of the roof or the top of the parapet; see section 9412.

"Roof sign" means a painted sign or attached sign constructed upon or over a roof, or placed so as to extend above the visible roofline.

"Secondary wall" means a building wall which contains no primary store entrance, but may have emergency exits, exits/entrances subordinate to the primary entrance which may face onto a street or designated parking area or access drive.

"Seasonal or holiday sign(s)" means signs, such as Christmas decorations, which are used for a historical holiday or special time of the year and installed for a limited period of time, as defined in this Chapter.

"Sign" or "signs" means any structure, device or contrivance and all parts thereof which are installed or used for identification purposes upon or within which any poster, bill, copy, lettering, painting, device or other advertising of any kind whatsoever is used, placed upon, or affixed to the building support structure, window area, canopy, awning or marquee. Product, trade and service information is considered supplemental information and may be included on the sign provided it is subordinate to business identification. Supplemental signs shall be considered subordinate if no more than twenty-five (25) percent of the total allowable sign area is used for this purpose. This definition includes signs directly applied to a building surface such as plastics, and menus. This definition shall not include official notices issued by a court or public body or officer, or directional warning or information sign or structures required by or authorized by law or Federal, State, County or City authority; see section 9412.

"Sign area" means the entire area of the face or faces of the Sign, which is designed to carry copy, whether or not there is copy on all surfaces. Architectural design embellishments and structural elements such as a sign pedestal or pole are not construed to be part of sign area. The perimeter is defined by the smallest square, circle, rectangle, triangle or combination thereof or irregular shape that will encompass the extreme limits of the copy together with any frame or structural trim forming an integral part of the display such as a sign cabinet. In the case of a double-faced sign, the area shall be computed as only one (1) of the sign surfaces; see section 9412.

"Sign copy" means any words, letters, numbers, figures, designs, or other symbolic representation incorporated into a sign.

"Sign program" means a comprehensive program intended to provide incentive, latitude and variety in order to achieve aesthetically appealing and compatible signage for shopping and professional office centers and industrial parks with two (2) or more occupants. A sign program may also be applicable for a single business proposing two (2) or more signs.

"Sign structure" means the supports, uprights, braces, cables, framework, and display surface of a sign.

"Site" means one (1) or more parcels of land identified by the assessor's records. The site shall include all parcels of land contained within, or a part of an integrated building development. An integrated building development shall include all parcels served by common accessways, driveways, parking and landscaping.

"Special event" is a commercial, civic, patriotic, religious, cultural, community, or political event that recurs irregularly, if at all, and that takes place on a specific date or dates. "Special event" does not include routine commercial promotions.

"Standard sign plans" means a comprehensive set of plans and materials required to be submitted before erecting, placing, rebuilding, reconstructing or moving any sign.

"Storefront area" means the front area of a building in which the primary entrance to a store or business is located. The area is calculated by multiplying the width of the storefront (or tenant space in the case of a multi-tenant building) by the wall height (which includes all vertical surfaces between the finished grade and the roof); see section 9412 for a display of the storefront area calculation.

"Street frontage" means lineal extent of a street which fronts on or is adjacent to either a building or parking area and used as the basis for determining the maximum sign area and number of signs allowed; see section 9412.

"Supplemental signs" means signs identifying special features, trade, services or products of the business. Such signs may not include a listing of pricing information or specific brand names unless incorporated into the name of the business. Supplemental signs may be of a permanent nature, provided they are subordinate to business identification information. They shall be considered subordinate if no more than twenty-five (25) percent of the total allowable sign area is used for this purpose.

"Temporary sign" means any sign constructed of paper, cloth, canvass or other similar lightweight material, with or without frames, including painted windows, flags, streamers, pennants, banner signs and other signs not designed to be permanently attached to a building or anchored to the ground.

"Tivoli lights" is a brand of tube lights; see tube lights.

"Tract identification sign" means a permanent sign designed to identify a single-family or multifamily residential subdivision or development. Such signs shall be limited to subdivisions containing a minimum of ten (10) units or ten (10) lots and a minimum total project size of one (1) acre.

"Tube lights" are small decorative lights of a permanent nature. Light bulbs are usually one-half ($\frac{1}{2}$) watt in size and usually less than one (1) inch long and placed within a clear tube, approximately eight (8) inches apart.

"Under-canopy" means a sign which is perpendicular to and suspended below the ceiling or roof of a canopy.

"Use" means the purpose for which land or a building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

"Vehicle-mounted sign" means any sign placed or maintained on a stationary automobile, truck, trailer or any other motor-driven device.

"Vertical clearance" is the vertical distance between grade and the lowest part of any sign, including framework or embellishments.

"Visual clearance area" is a triangular shaped portion of land established at a street intersection or driveway in which nothing is constructed, placed, planted or allowed to grow in such a manner as to limit or obstruct the visibility of a motorist entering or leaving the intersection or driveway; see section 9404a3(b) and exhibit in section 9412.

"Wall sign" means a sign attached parallel to or erected on the fascia, parapet or exterior wall of a building, structure, wall or fence with the exposed face of the sign in a line approximately parallel to the plane of the exterior wall; see section 9412.

"Width of a sign" means the maximum horizontal dimension of a sign.

"Window" is an opening in a wall surrounded by framework or casing and enclosed with transparent material. For the purpose of calculating window area on one (1) building elevation, a series of adjoining window panes separated by mullions or panels can be combined to establish total window area.

"Window sign" means any sign attached, painted, or pasted, either permanent or temporary, on the interior or exterior of a window and intended to be viewed from the outside; see section 9412.

"Wind sign" means any sign or portion thereof or series of signs, banner signs, balloons, flags, pennants, spinners, streamers, or other objects designed and fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

(Ord. No. 1321, Sec. 2, 4-3-07)

9403 - SIGN PERMIT REQUIREMENTS

a. *Permits required.*

1. Except as otherwise provided specifically in this title, no sign shall hereafter be erected, re-erected, constructed or altered until a sign permit for such has been issued by the person or body having final authority to do so, or until a conditional use permit or planned sign program with respect to such a Sign has been granted by the Planning Commission in instances in which a conditional use permit is required.
2. A separate permit shall be required for each sign or group of signs in one (1) location. In addition to the requirements set forth in this section, all applicable building and electrical permits shall be obtained in accordance with the Uniform Building Code and the Uniform Electrical Code.

A tag issued by the city indicating the sign permit number shall be affixed to the sign so as to be readily visible. The tag shall include the sign permit number, approval date and/or expiration date for any sign constructed in compliance with the provisions of this Chapter.

b. *Permit application.* Applications for sign permits shall be made by the owner of the property on which the sign is to be located, by a licensed contractor or an authorized agent of the property owner, as may be required by state contractors' law, on forms furnished by the Community Development Department and shall be accompanied by all information and fees, as required for standard sign plans or master sign plans. The application shall be signed by the owner of the premises on which the sign is located.

c. *Review procedures.* Each sign permit or temporary sign permit application, plans, and fees shall be submitted to the Community Development Department, pursuant to this Chapter, and shall be

processed and approved, conditionally approved, or denied within the time limits established by state law for action on development projects by the Community Development Director, unless such approval authority is granted to the Planning Commission pursuant to this Chapter or the requirements contained in specific plans, planned developments, or planned community districts. All decisions by the Community Development Department or Planning Commission are final unless appealed in accordance with this Chapter.

All signs proposed to be located within the public safety area shall also be reviewed and approved by the Public Works Department prior to the issuance of any permits.

- d. *Temporary sign permits.* Temporary sign permits are required for signs intended for temporary display. This section shall not authorize signs identified as prohibited by section 9404 of this Chapter. Additional regulations for temporary signs are found in section 9406. As applicable, a separate building permit and/or electrical permit may also be required. In addition to a refundable cash bond, which guarantees the removal of the temporary display, the following requirements shall apply.
 1. Banner signs.
 - (a) All banner signs must be fixed to a building and hung below a roof eave or mounted on poles.
 - (b) All banner signs shall be professionally made and constructed of cloth, canvas, plastic, PVC or similar material, and have slits for proper wind resistance, where necessary.
 - (c) No banner sign may exceed thirty-two (32) square feet in area, except that a single banner sign of up to one hundred (100) square feet may be allowed on a building elevation of at least one thousand (1,000) square feet that faces a freeway or major arterial.
 - (d) One (1) display per building or street frontage, or in the case of a multi-tenant building, one (1) display per storefront area shall be allowed. As a substitute for a wall-mounted banner sign, one (1) pole-mounted banner sign per property street frontage is permitted.
 - (e) Every banner sign shall display a City-issued permit identifying the approved dates for the display. Banner signs displayed without a City permit or on non-approved dates may be removed by the City.
 - (f) Grand opening banner signs shall be permitted for a period not to exceed thirty (30) consecutive days.
 - (g) Special event information banner signs for purposes other than grand openings shall be permitted for no more than thirty (30) consecutive days from or around the date of the event, not more than four (4) times in any calendar year, and no more than twice in any calendar quarter. As an alternative, if specific nonconsecutive dates can be identified in writing, a banner sign shall be permitted for no more than sixty (60) days per calendar quarter and no more than one hundred twenty (120) days per calendar year.
 - (h) Banner signs for the sponsorship of nonprofit events, including civic, public, religious, educational, or philanthropic events, shall be permitted for a period not to exceed thirty (30) days per event. Temporary banner signs shall be appropriate for the event. Copy of signage may contain names, logos, or corporate sponsors but such names, logos, or corporate sponsors may not exceed one-fourth ($\frac{1}{4}$) of the aggregate area of signage.
 - (i) Banner signs are exempt from the requirement to provide a refundable cash bond.
 2. Public event signs. Public event signs may be located within the public right-of-way subject to the following restrictions and criteria:
 - (a) All public event signs posted on the structures approved by the City shall be removed no later than seventy-two (72) hours after the event has occurred.

- (b) All public event signs shall be professionally made and constructed of cloth, canvas, plastic, PVC or similar material, and have slits for proper wind resistance, where necessary.
 - (c) No sign shall exceed thirty-five (35) feet in horizontal length, with a maximum sign height or vertical dimension of four (4) feet.
3. Decorative flags. Decorative flags shall meet the following criteria and any deviation from these criteria shall be approved by the Planning Commission, as provided for in section 9404c4.
- (a) Decorative flags shall be installed on a flag pole device or frame, approved by the Building Official or installed directly upon a building or wall surface but in no case above the roof eave.
 - (b) No decorative flag may exceed six (6) square feet in area with a maximum pole height of twelve (12) feet.
 - (c) Original grand opening decorative flags shall be permitted for a period not to exceed thirty (30) days. In addition, a change of ownership or change of business type qualifies for grand opening flags.
 - (d) Not more than five (5) decorative flags per site for purposes other than grand openings shall be permitted for thirty (30) days and not more than four (4) times in any calendar year nor more than twice in any calendar quarter.
 - (e) Decorative flags are permitted for non-residential projects and only for residential projects in conjunction with temporary project identification signs.
4. Beacons. Beacons used as part of the grand opening are permitted for a period not to exceed thirty (30) days. Temporary sign permits for grand opening beacons are subject to the approval of the Community Development Department.
5. Festoons. Festoons may be permitted in conjunction with a special event, subject to Planning Commission approval pursuant to section 9404c3.
6. Balloons. Nonmetallic balloons (individual, groupings or arch of balloons) may be permitted only one (1) time per year and in conjunction with a special event. Balloons shall meet the following criteria and any deviation from these criteria shall be approved by the Planning Commission, as provided for in section 9404c4.

Individual or grouping of balloons: Individual balloons include balloons attached separately to the ground or building or attached to the end of a nonmetallic string. A grouping of balloons is two (2) or more balloons attached separately to nonmetallic string which are clustered together.

- (a) Maximum size of balloons—Twelve (12) inches in diameter.
- (b) Maximum number—Thirty (30) Balloons.
- (c) Maximum height—Fifteen (15) feet above grade.
- (d) Location—Must be securely affixed to ground or building and must maintain a minimum twenty-foot setback from all property lines.
- (e) Duration of display—Maximum of two (2) consecutive days, no more than one (1) time per year for arch, individual or string of balloons.

Arch of balloons: An arch of balloons is a collection of helium-filled balloons that are attached close together to create a solid band of color forming an arch.

- (a) Maximum size of balloons—Twelve (12) inches in diameter.
 - (b) Maximum number—Three (3) Balloons per lineal foot.
 - (c) Location—Must be securely affixed at each end to ground or building and must maintain a minimum twenty-foot setback from all property lines.
 - (d) Duration of display—Maximum of two (2) consecutive days, no more than one (1) time per year for arch, individual, or string of balloons.
7. Portable signs within the Cultural Resource District and/or Old Town Commercial General Plan land use designation. Portable signs for sidewalk-adjacent businesses within the Cultural Resource District and/or Old Town Commercial General Plan land use designation may be placed within the sidewalk adjacent to the identified business, subject to review and approval by the City of Tustin in accordance with established design guidelines.
- e. *Exempt signs.* The following signs are exempt from the permit requirements of this Chapter, provided that they conform to the standards outlined below and contained in sections 9406 through 9411. Although the following signs do not require a sign permit, they may require a building and/or electrical permit.
1. Public signs placed by a governmental body or public utility, including signs required by law, community service signs, public transit signs, safety signs, trespassing signs, danger signs and all signs erected by a public officer in the performance of a public duty.
 2. One (1) official flag per property. However, building permits shall be obtained for the flag poles where required by the Uniform Building Code. The flag pole shall meet the setback requirements and shall not exceed the allowable height of the zoning district or fifty (50) feet, whichever is less.
 3. Flags identifying the name and/or Logo of the business upon the premises. Such flags shall not exceed one (1) in number per site nor more than ten (10) percent of the permitted aggregate sign area for the business identified on the flag. Business flags shall be no higher than any state flag and must be lower than the federal flag if located on the site. The flag pole shall meet the setback requirements and shall not exceed the allowable height of the zoning district or fifty (50) feet, whichever is less.
 4. Nameplates less than two (2) square feet in area, displaying only the following:
 - (a) Name of the premises upon which it is displayed;
 - (b) Name of the owner or lessee of the premises;
 - (c) Occupation of the owner or lessee.
 5. Seasonal or holiday signs, holiday lights and decorations with no commercial message for one (1) continuous period not to exceed fifty (50) days during any given year.
 6. Address numbers installed on a building which must be at least six (6) inches in height and in Arabic numerals.
 7. Permanent plaques, cornerstones, or building names containing the name of the building and date of erection, or historical designation, provided that these are cut into a masonry surface, or constructed of bronze or other appropriate material of a permanent nature.
 8. Incidental signs mounted, painted, attached to, or placed upon windows and intended to be viewed from the exterior, unless prohibited in an approved Master Sign Plan, provided that the aggregate area of such signs do not constitute more than twenty-five (25) percent of the window area upon which they are placed.

9. Non-illuminated on-premises real estate signs or open house signs subject to the following criteria:
 - (a) In residential zones, not more than one (1) sign per street frontage, with a maximum height of four (4) feet and maximum size of six (6) square feet. Ornamental signs may be a maximum of seven (7) feet high to top of structure, with a maximum of six (6) square feet for sign face.
 - (b) In professional districts, not more than one (1) sign per street frontage, with a maximum of sixteen (16) square feet in size and six (6) feet in height.
 - (c) In commercial districts when a property has a street frontage of less than two hundred (200) lineal feet, not more than one (1) sign per street frontage, with a maximum size of sixteen (16) square feet and maximum six (6) feet in height. For properties with two hundred (200) lineal feet or more of street frontage, not more than one (1) sign per street frontage, with a maximum of twenty-four (24) square feet in size and eight (8) feet in height.
 - (d) In industrial districts, not more than one (1) sign per street frontage, with a maximum of thirty-two (32) square feet in size and ten (10) feet in height.
 - (e) For vacant properties in any district with a minimum of five (5) acres in size, not more than one (1) sign per street frontage with a maximum of twenty (20) square feet in size and eight (8) feet in height.
 - (f) All such signs shall be installed on private property and only on the premises which the sign advertises.
 - (g) All such signs may contain a maximum of three (3) riders in excess of the above sign area limitation. The combined size of all riders including any spaces between riders shall not exceed twenty-four (24) inches in total sign height or vertical dimension and must be attached under the permanent sign face.
10. A permanent directional/information sign not exceeding six (6) square feet per face nor four (4) feet in height, limited to one (1) sign per vehicle entrance to the site. In addition, each tenant may have directional signs located on or next to the building, maximum size of four (4) square feet and not to exceed one (1) per store entrance.
11. Temporary off-premises commercial signs, subject to the following criteria:
 - (a) Temporary off-premises commercial signs must be associated with a legitimate commercial enterprise in the City of Tustin for which permanent business identification signs are not authorized. A maximum of twenty (20) temporary off-premises commercial signs per commercial enterprise shall be allowed within the city limits at any one time.
 - (b) The signs shall not exceed four (4) square feet in size and four (4) feet in height.
 - (c) Signs may only be located in the public parkway area, subject to the visual clearance area requirements, except as otherwise allowed by local, state, or federal law.
 - (d) Signs are not permitted to be attached to any traffic control device, tree, street light or utility pole or placed so as to impede public sidewalks.
 - (e) Signs shall not be posted on Mondays, Tuesdays, Wednesdays, or Thursdays; or between the hours of 7:00 p.m. and 7:00 a.m. on Fridays, Saturdays, or Sundays.
 - (f) Signs shall only be posted between twenty-five (25) feet and three hundred (300) feet of a street intersection. A maximum of two (2) signs per commercial enterprise shall be posted per street intersection, and no more than one (1) sign per commercial enterprise shall be permitted in the public parkway area abutting any one (1) parcel of property.

- (g) The name, address, and phone number of the responsible party shall be provided on the back of the sign. This information shall occupy a space no larger than ten (10) square inches.
 - (h) The responsible party for signs erected in the public parkway area shall be liable to the City of Tustin, private property owners and the general public for any injury to persons or property resulting from the placement and maintenance of the sign.
12. Light bulb strings are permitted on a temporary or permanent basis, provided all of the following limitations are met:
- (a) Maximum number—One hundred (100) light bulbs.
 - (b) Minimum separation between lights—Six (6) inches.
 - (c) Maximum size bulb—Three (3) inches in length, seven (7) watt.
 - (d) Color—Clear or white.
 - (e) Location—Not permitted on the exterior of a building or structure. May be located within twelve (12) inches of the interior of a window. Light bulb strings located more than twelve (12) inches from the interior of a window are not regulated by this Code.
 - (f) All such lights shall not flash, blink, chase or be otherwise animated.
 - (g) Standards above do not apply to decorative holiday lighting as permitted by section 9403e5.
13. Temporary non-commercial signs (except public event signs), subject to the following criteria:
- (a) No person shall affix a temporary non-commercial sign on any traffic signal, utility pole, traffic control device, or tree.
 - (b) Written permission of the property owner is required for temporary non-commercial signs placed on private property.
 - (c) Temporary non-commercial signs on private property shall be limited to a maximum of thirty-two (32) square feet in size, and ten (10) feet in height.
 - (d) The name, address and telephone number of the responsible party for posting the temporary non-commercial sign shall be included on the sign.
 - (e) Temporary non-commercial signs in the public parkway area are subject to the following additional criteria:
 - (1) Signs shall only be posted between twenty-five (25) feet and three hundred (300) feet of a street intersection. No more than one (1) sign per sponsoring individual or organization shall be permitted in the public parkway area abutting any one (1) parcel of property.
 - (2) Signs shall be limited to a maximum of four (4) square feet in size and four (4) feet in height above grade.
 - (3) Signs shall not be installed or maintained in any manner so as to impede vehicles or permitted parking adjacent to curb, pedestrian walkways, hinder disabled access, or constitute a hazard to or endanger persons using the sidewalks.
 - (4) Signs shall not be located in any visual clearance area.
 - (5) Any person, party or group posting such signs shall be liable to the City of Tustin, private property owners and the general public for any injury to persons or property resulting from the placement and maintenance of the sign.
 - (6) A temporary non-commercial sign shall be posted for no more than forty-five (45) days per calendar quarter. Signs related to a specific event shall be removed no later

than five (5) days after the event to which the sign relates. The date that the sign was posted and the name, address, and phone number of the responsible party shall be provided on the back of the sign within a space no larger than ten (10) square inches.

- (8) If the Community Development Director finds that any temporary non-commercial sign has been posted or is being maintained in violation of the provisions of this section, the responsible party shall be given notice to remove said sign(s) within twenty-four (24) hours from the time of said notice. The notice shall include a brief statement of the reasons for requiring removal. If the person so notified fails to correct the violation or remove the sign(s), the Community Development Director may cause said sign(s) to be removed without further notice. If the responsible party for the sign cannot in good faith be located within a reasonable time, the sign shall be deemed abandoned.
 - (9) Any temporary non-commercial sign that remains posted for more than forty-five (45) calendar days or for more than five (5) calendar days after the event to which the sign relates shall also be deemed abandoned. The Community Development Director may cause such abandoned signs and any signs, which constitute an immediate peril to persons or property to be removed summarily and without prior notice. The City shall assess a charge against any person, candidate, entity, party or group posting or placing signs in violation of this section for the cost incurred in the removal.
 - (10) Signs in the public parkway area in violation of this section shall be subject to removal by City in accordance with section 9405e1(b) of this Code.
 - (11) Any person who intentionally defaces, obliterates, tears down, or destroys a sign installed in accordance with the provisions of this Code shall be subject to being charged with an infraction pursuant to section 1121 of this Code.
15. Human signs shall be permitted on private property and in public parkway areas and sidewalks, subject to the following provisions:
- (a) Human signs shall be prohibited within two hundred (200) feet of any street intersection.
 - (b) Human signs shall be limited to a maximum of three (3) square feet in size.
 - (c) Human signs shall not block the visibility of any traffic control device or traffic signal for motorists.
 - (d) Human signs on public sidewalks shall yield to the passage of pedestrians.
 - (e) Human signs shall not spin, swirl, swing or gyrate.
- f. *Exceptions.* When an application for a sign code exception has been submitted to the Community Development Department, the Community Development Director shall have authority to grant or conditionally grant an exception to allow no more than a ten (10) percent increase in height or sign area of an allowable sign subject to findings contained herein. The Planning Commission shall have authority to grant or conditionally grant all other exceptions to the various sign regulations contained in this Chapter subject to the following:
1. Sign size and placement restrictions of this chapter shall be as closely followed as practicable;
 2. The intent and purpose of the sign regulations of the land use zone in which the sign is to be located shall be followed as closely as practicable;
 3. There are special circumstances unique to the property to justify the exception;
 4. Granting of the exception will not have a negative impact on surrounding properties;

5. The Sign application promotes the public health, safety, welfare and aesthetics of the community and that the granting of the exception meets the findings and intent of this Chapter.
- g. *Standard sign plans.* All applications for sign permits shall be accompanied by three (3) sets of dimensioned plans and shall include the following information:
1. The name, address, and telephone number both of the owner or persons entitled to possession of the sign and of the sign contractor or erector.
 2. The location by street address of the proposed sign.
 3. An elevation of the sign showing the dimensions of the sign, the dimensions of the sign's supporting members, the maximum and minimum height of the sign, sign copy, proposed lettering and background color and lettering style.
 4. A dimensioned elevation of that portion of the building exterior where the proposed location of the sign will be placed in relation to the face of the building.
 5. A dimensioned site plan showing the proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated and any pole or monument signs within fifty (50) feet of the site boundaries can be prepared on an eight and one-half (8½) inch x eleven (11) inch size paper.
 6. Where the sign is to be attached to an existing building, a current color photograph of the face of the building to which the sign is to be attached and color photograph of all existing Signs on the building and sign structures labeled to show which signs will be removed and which will remain.
 7. A sign plan shall indicate the scope and structural detail of the work to be done, including details of all electrical and mechanical connections, guy lines, supports and footing and materials to be used.
 8. Means of lighting/illumination along with an electrical permit for all electrical signs. All electrical components for the sign shall be listed and approved by certified testing laboratory.
 9. Any other information that the applicant believes to be needed to fully define the sign proposal.
 10. Such other architectural, design, or engineering information as may be required by the Uniform Sign Code and Uniform Building Code for the specific sign proposal.
 11. Any required permit and review fees as established by resolution of the City Council.
- h. *Master sign plans.* A master sign plan is required for developments in specific plan, planned development and planned community districts, multi-use sites, multi-tenant centers and mixed use districts in the City. The purpose of a master sign plan is to encourage coordinated and quality sign design (integrated with architectural style of project) on sites where a large number of signs will occur. In addition, the master sign plan should include permanent directional/information signs to facilitate smooth internal circulation by the motorist.

After approval of a master sign plan, no sign shall be erected, placed, painted or maintained except in conformance with such plan, and such plan may be enforced in the same way as any provision of this ordinance unless a modification to the master sign plan is approved. In case of any conflict between the provisions of such a plan and this ordinance, the ordinance takes precedence. In addition to all of the requirements for standard sign plans contained in section 9403g of this Chapter, the following additional information shall be required for a master sign plan:

1. Plan specifications including the type and texture of materials and colors proposed for the signs and the building facade.
2. A colored elevation of the proposed signs as they would appear on the building facade.
3. Drawings illustrating the lettering styles and sizes proposed and the use of logos, if any.

4. Color photographs of buildings and signs on adjacent sites.
 5. Any regulations that are more restrictive than those included in the sign code pertaining to use, location and size of signs.
- i. *Review criteria.*
1. General criteria (applicable to all signs). Proposed signs and the materials, size, color, lettering, location and arrangement thereof shall conform to the following criteria:
 - (a) Signs shall be consistent throughout the site by incorporating common design elements such as quality of materials, letter style, colors (not more than three (3) excluding black and white per individual sign), illumination, sign type or sign shape.
 - (b) Signs shall be compatible with, and bear a harmonious relationship to the visual image and architectural design of the buildings they identify in terms of materials, colors, and design motif.
 - (c) Signs shall relate to a human scale, and shall be directed toward pedestrians as well as motorists. The base and supporting structure of all signs shall be consistent with the size and scale of the advertising surface.
 - (d) Signs shall contain only that information necessary to identify the businesses or uses of the property on which the sign is located and be in compliance with district regulations. Identification of product, trade and service information is permitted and considered supplemental provided it is subordinate to business identification. Supplemental signs shall be considered subordinate if no more than twenty-five (25) percent of the total allowable sign area is used for this purpose.
 - (e) Signs shall be appropriately visible, legible, as far as spacing and proportion of letters and details, and shall not dominate the visual quality of the site or obscure from view existing or adjacent signs.
 - (f) Signs shall be compatible with the visual characteristics of the development and signs in the surrounding area and shall not detract from adjacent developed properties.
 - (g) New signs in existing developments shall be designed in accordance with the established master sign plan for the building or center where the signs are to be located. If a master sign plan does not exist, any new signs shall be designed to be harmonious with other existing signs on the property and/or architectural theme or design features of the building(s) or required by any special criteria pursuant to section 9403h.
 - (h) Freestanding signs may be located in a required yard setback area provided the following criteria are met:
 - (1) Said location is not within a required visual clearance area as shown on section 9412 exhibits.
 - (2) All signs proposed to be located within the public safety area shall be reviewed and approved by the Public Works Department.
 - (3) All such signs shall be located a minimum of twenty-five (25) feet from an interior side property line or fifty (50) feet from another existing pole or monument sign located on an adjacent site, whichever is less restrictive.
 - (4) In the event of a lighted sign the location will not cause negative light and glare impacts on adjacent sensitive land uses.
 - (i) All signs shall conform to provisions contained in section 9404 of this Chapter and any previously approved master sign plan, on file with the Community Development Department.

2. Master sign plan criteria. In addition to general criteria listed in section 9403i of this Chapter, master sign plans shall be reviewed for conformance with the following criteria:
 - (a) Signs shall reflect a common theme, incorporating design elements in terms of materials, letter styles, colors, illumination, sign type and sign shape.
 - (b) Signs shall utilize materials, colors, and a design motif which are compatible and which reflect the special qualities of the architecture of the buildings on the site in both daytime and nighttime situations.
 - (c) For developments with existing signs, the master sign plan shall designate appropriate replacements, if any, which are consistent with the new signage. Where such signs cannot be replaced immediately, a schedule or phasing plan for bringing such signs into conformance with the master sign plan shall be submitted and become part of the approval.

A cash bond, based upon the estimated cost to remove the sign, may be required to guarantee their removal. Bond is returnable upon successful completion of removal. If not removed, the bond will be forfeited and the sign will be removed by the City pursuant to the enforcement procedures of section 9405e. The sign plan should acknowledge that tenants desiring signs may not be identified during the building design process or may change over time. Therefore, care should be taken in size and placement to accommodate future changes.
 - (d) The master sign plan shall designate a person or firm as the primary liaison with the City for the purpose of requesting approval of the master sign plan and for submitting sign permit requests in conformance with the approved master sign plan.
 - (e) The master sign plan submitted by the applicant may establish more restrictive sign standards than those contained in this Chapter. Conversely, a master sign plan for a center may deviate from the specific standard for permanent business identification upon submittal and approval of a conditional use permit, provided that the center is a single development project of at least thirty thousand (30,000) building square feet or one (1) acre in project size.
3. Special criteria. The Planning Commission may recommend and the City Council may establish more specific design criteria by resolution within certain portions of the City to encourage signs which are in harmony with established architectural guidelines in those areas. The specific criteria may be more or less restrictive than the regulations included in this Chapter.

(Ord. No. 1321, Sec. 2, 4-3-07)

9404 - SIGN REGULATIONS

- a. *Prohibited sign types, prohibited materials and prohibited locations.* Any sign, sign structure or advertising device which are not specifically permitted by the zoning district regulations in which the sign is located or which may have been erected in violation of the laws in effect at time of erection is prohibited. Such prohibited signs include, but are not limited to the following types, materials and locations.
 1. *Types of signs prohibited:*
 - (a) Advertising bench signs. No person shall place within a public right-of-way, public parkway area, or in any public safety area within the City any advertising bench, or seat except:
 - (1) Upon obtaining a written permit from the City Council, and,

- (2) Upon obtaining the approval of the City Engineer for the design and construction details.
- (b) Advertising display bus shelter signs. No person shall place within a public right-of-way, public parkway area, or in any public safety area within the city any advertising display bus shelter, except in compliance with the following conditions:
 - (1) A franchise agreement or other contractual agreement acceptable to the City Attorney shall be required for all advertising bus shelters proposed within the public right-of-way or public parkway area. City Council approval shall also be required for all shelters located within a public safety area.
 - (2) The Planning Commission and City Engineer shall review and recommend to the City Council appropriate locations, design and construction details for all advertising bus shelters prior to award of franchise agreement or approval of alternative contractual agreement. However, in no case shall an advertising bus shelter be located within a residential neighborhood. The Planning Commission may also recommend certain guidelines to the City Council on appropriate standards for advertising and/or design.
 - (3) All advertising display bus shelters shall be located based upon ridership demand, as determined by the Orange County Transit Authority and City Engineer.
 - (4) Displays shall not contain advertising for tobacco or alcohol products.
- (c) Aerial signs, unless approved pursuant to section 9404c of this chapter.
- (d) Animated signs.
- (e) Audible signs.
- (f) Beacons. Unless approved pursuant to sections 9403d or 9404b of this Chapter.
- (g) Festoons. Unless approved pursuant to section 9404c of this Chapter.
- (h) Flashing signs.
- (i) Light bulb strings, except holiday lights per section 9403e5, and not in conformance with section 9403e12.
- (j) Obscene or unlawful signs.
- (k) Off-premises signs, except those erected or caused to be erected by the City, temporary off-premises commercial signs, human signs, and temporary noncommercial signs.
- (l) On-premises advertising display.
- (m) Painted signs.
- (n) Portable signs, except those approved by the City within the Cultural Resource District and/or Old Town Commercial General Plan land use designation.
- (o) Projecting signs.
- (p) Roof signs, except rooftop signs displaying only company name or logo on a flat roof so not to be seen from a horizontal plane of view below the roof line and approved as part of a Master Sign Plan pursuant to 9403h or 9404b6. (Ord. No. 1429, Sec. III.2, 5-21-13)
- (q) Service, product and pricing signs. Any sign advertising specific brand names or pricing unless incorporated into the business name for the purpose of City business licenses and filing of fictitious business name as required by the State Board of Equalization. Specific pricing signs as required by state law and permitted in the Code are not subject to these limitations. Identification of product, trade or service information in excess of twenty-five (25) percent of the total allowable sign area is also prohibited.

- (r) Signs constituting a traffic hazard. No person shall install or maintain or cause to be installed or maintained any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of the words "stop, look, danger," or any other words, phrases, symbols or characters in such a manner to interfere with, mislead or confuse vehicular or pedestrian traffic.
- (t) Vehicle-mounted signs. Business signs on or affixed to trucks, automobiles, trailers or other vehicles, while parked on public or private property, excepting those vehicles used for the purpose of lawfully making deliveries or sales of merchandise or rendering services.

[1.] *[Reserved.]*

- 2. *Materials prohibited: Nondurable signs.* Paper, cloth or any matter or material not securely fastened to the surface of a sign or sign structure with the exception of approved temporary signs.
- 3. *Locations prohibited:*
 - (a) Signs in proximity to utility lines. No permit shall be issued for any sign, and no sign shall be constructed or maintained, which has less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by the laws of the state or rules and regulations duly promulgated by agencies thereof. Signs are prohibited on any utility pole, traffic sign post, traffic signal or any other official traffic control device, in accordance with Section 21465 of the California Vehicle Code.
 - (b) Visual clearance area. No permit shall be issued for any sign and no sign shall be constructed or maintained which is located within the visual clearance area. This area shall be measured from each side of the driveway or access point to the adjoining street per current City standards. See the diagram in section 9412 showing visual clearance area.
 - (c) Signs on any public property, public right-of-way, and public parkway area. Signs on any public property, within public right-of-way, including the public parkway area, traffic control sign posts, utility poles, and trees are prohibited. No person, except a public officer in performance of public duty, shall affix by any means any form of Sign on any public property or within the public right-of-way. Temporary off-premises commercial signs, temporary noncommercial signs, and human signs shall be permitted within the public parkway area, but only in strict accordance with section 9403e.
 - (d) Projecting signs. Projecting signs shall not extend over or into a public right-of-way or public parkway area, except for public event banners, subject to approval by the Community Development Director.
 - (e) Side yard setback area. A monument sign shall be set back a minimum of twenty-five (25) feet from side property lines or fifty (50) feet separation from another pole or monument sign located on an adjacent site, whichever is less restrictive. Additional regulations for monument signs are located in sections 9407 through 9411.
- b. *Signs subject to conditional use permit approval.* The following types of signs are permitted only when reviewed by the Planning Commission and where a conditional use permit has been issued in accordance with the Tustin Zoning Code. An application for a conditional use permit for these types of signs shall be processed in accordance with conditional use permit procedures contained in the Tustin Zoning Code. Appeal procedures for conditional use permits shall also be governed by applicable sections of the Tustin Zoning Code.
 - 1. Changeable copy signs (electronic or manual), except time and temperature signs which are permitted.
 - 2. Pole sign. All pole signs not considered freestanding freeway signs pursuant to subsection 9404b(3) shall require approval of a conditional use permit. In addition to findings required to be

made on granting of a CUP contained in the Tustin City Code, the following restrictions and criteria shall apply:

- (a) *Type of business.* Only center identification signs are permitted to be pole signs.
 - (b) *Size and scale of project.* The center identified by the sign is a single development project of at least one hundred thousand (100,000) building square feet or five (5) acres in project size which has a minimum of three (3) or more tenants.
 - (c) *Design.* The pole sign is designed to reflect theme of the center it identifies and incorporates similar design elements, materials, colors and special qualities of the architecture of the building(s) in the center and is compatible with existing or proposed signage in the center.
 - (d) *Location.* The pole sign shall (1) be located within a landscaped area and is limited to one (1) per street frontage, (2) maintain a minimum of one hundred (100) lineal feet from any other monument sign or freestanding sign in the center, and (3) be set back a minimum of twenty-five (25) feet from interior side property line or maintain a minimum of fifty (50) feet from another pole or freestanding sign located on an adjacent site.
 - (e) *Height and size.* The sign shall be compatible with the size and scale of the project and shall not exceed twenty (20) feet in height and fifty (50) square feet in size.
3. Freestanding freeway signs. The purpose of a freeway sign is to provide identification for businesses that provide services to the freeway motorist. In addition to findings required by the Tustin City Code, the following restrictions and criteria shall apply:
- (a) *Type of business.* Only businesses offering eating facilities, lodging accommodations or automobile services are permitted to have a freeway sign.
 - (b) *Location of business.* Only those permitted businesses that are located directly adjacent to the freeway right-of-way, or separated from the right-of-way by a frontage road may request a freeway sign.
 - (c) *Location of sign.* The sign may be located in such a manner as to be oriented towards and visible from the closest freeway lanes. In any event, the freeway sign shall maintain a minimum twenty-five-foot setback from a non-freeway property line or maintain a minimum of fifty (50) feet from another freestanding sign located on an adjacent site.
 - (d) *Height and size.* The sign shall be no higher or larger than necessary to provide identification to freeway motorist. In any event, the freeway sign shall not exceed twenty-four (24) feet in height and fifty (50) square feet in size.
4. Painted wall signs to include murals or graphics which do not promote a product or business but which depict a scene or image.
5. Beacons. Any beacon used (other than approved for grand openings) as a searchlight directing light beams into the atmosphere or at one (1) or more points on-site shall require a conditional use permit.
6. A master sign plan requesting deviations from standards contained in this chapter provided that the project is a center and a single development project of at least thirty thousand (30,000) building square feet or one (1) acre in project size.
- c. *Signs subject to Planning Commission Review.* The following types of signs are permitted only after the Planning Commission has reviewed and approved the sign permit application for conformance with the review criteria outlined in section 9403d:
1. Tivoli lights or tube lights. External displays of small decorative lights of a permanent nature require approval by the Planning Commission. Tivoli lights are a brand of tube lights.

2. Neon/exposed light when intended as a permanent feature integrated with a building's architectural design.
 3. Festoons. Festoons may be permitted on a temporary basis only in conjunction with a special event, provided the Planning Commission determines that it is consistent with the size and scale of the project and approves a temporary sign permit.
 4. Temporary decorative flags and nonmetallic balloons. Any request to deviate from the location, size height, number or time limits for decorative flags or balloons as provided for in section 9403d shall be reviewed by the Planning Commission. Prior to approval, the Commission shall determine that the proposal is compatible with the size and scale of the buildings on the site and project size.
 5. Permanent decorative flags/banner signs. Any request to install permanent decorative flags or banner signs on a building or project site is subject to the design review procedures outlined in section 9272 of the Tustin Municipal Code and shall be reviewed by the Planning Commission. In approving such flags or banner signs, the Commission shall determine that the permanent decorative flags or banner signs meet the following criteria:
 - (a) Consistent with project theme.
 - (b) Compatible with architectural design of project.
 - (c) Integrated into project design.
 - (d) Shall be maintained and replaced or removed when torn, frayed, faded or otherwise damaged.
- d. *Required signs.*
1. Construction signs shall include such information as project name, emergency phone number and contact. All such Signs shall be removed prior to approval for occupancy.
 2. Address numbers. As provided for in sections 4111 and 4112 of the Uniform Building Security Code, street address numbers shall be displayed in a prominent position so as to be easily visible to approaching vehicles. For residential uses, the numbers shall be no less than three (3) inches in height and for nonresidential uses the numerals shall be no less than six (6) inches in height. In all cases, the numbers shall be of a color contrasting with the background and located so they can be clearly seen and read.
- e. *Gasoline service station sign standards.*
1. Pricing signs shall be visible from the street or highway adjacent to the sign, and when situated at an intersection, the sign shall be visible from each street.
 2. The number of signs, sign area, location, height and type of signage shall conform to the individual business identification sign criteria.
 3. Pricing signs shall be incorporated with the service station business identification sign.
 4. Gasoline pump information signs shall be attached to pump islands and limited to two (2) per island column elevation. No products, Logos or business identification shall be included.
- f. *Permitted signs by zoning district and use.* All signs shall be governed by the limits set forth in the sign regulations chart, attached to this chapter as sections 9406 through 9411 and incorporated herein by reference except if addressed elsewhere in this chapter. Signs not expressly authorized elsewhere in this chapter or on the sign standard charts shall be considered unauthorized. The sign chart lists the maximums permitted for number, sign area and height of allowed signs along with other standards.
- g. *Maintenance and construction of signs.*
1. Standards.

- a. All signs and sign structures shall be enclosed, structurally safe, kept in good repair, including replacement of defective parts and illuminating fixtures, repainting and cleaning, and otherwise in a presentable condition such that they do not detract from the appearance of the surrounding area and shall comply with the most current Uniform Building Codes, as locally amended.
 - b. All repairs to signs shall be at least equal in quality and design to the original signs.
 - c. All signs and sign material shall be constructed of permanent materials including but not limited to metal, wood or other comparable durable weatherproof material. No material more combustible than treated wood shall be used in the construction of any permanent sign. Any sign support used in the construction of any permanent sign shall be reviewed as part of the sign application. Brackets or other structural elements that contribute to the architecture or in any way contribute to the advertisement of a business shall be calculated as part of the aggregate area of signage permitted for the site. All cabinets, conductors, transformers or other equipment shall be concealed from public view.
 - d. Every sign erected which is subject to a permit shall have its sign permit number, name of erector, installation year, and voltage (if electrical) in a readily visible location.
 - e. Electric signs shall be indirectly illuminated. Illumination shall be either from the interior of a sign, behind letters (back lighting), channel lighting illuminated from finished grade, or another indirect lighting source. Letters and Logos may be internally lit but sign background shall be opaque. Illumination shall be considered excessive and not permitted when it prevents the normal perception of buildings or structures beyond or in the vicinity of the sign or when it shines directly onto residential zones or in any public or private right-of-way. All illuminated signs shall be designed, placed or arranged to prevent glare upon the public right-of-way, adjacent properties, and traffic circulation areas of the subject property and shall not create a menace to traffic or a nuisance to adjacent property.
 - f. All areas where wall signs are removed and background discoloration or holes remain shall be appropriately patched and painted to match the building surface within thirty (30) days of removal of said sign.
2. The Community Development Department shall have the authority to order the painting, repair, alteration or removal of a sign that does not conform to the standards set forth in subsection (1).
 3. Hazardous signs. If a sign is damaged or not properly maintained to a degree that causes it to pose a physical danger to persons or property, the following provisions shall apply:
 - a. A hazardous sign is a sign that poses a danger to the public or that could create a potential hazard and are declared to be a public nuisance.
 - b. Removal of hazardous signs. Upon discovering a hazardous condition, the Community Development Director may cause the immediate removal of a sign that is a danger to the public due to unsafe conditions. The determination that a sign has become hazardous or unsafe shall consider only the physical condition and characteristics of the sign, and shall not consider the message thereon. No hearing shall be required for the removal of hazardous signs. The Community Development Director is not required to give notice of intent to remove the sign prior to removal, but shall inform the responsible party that the hazardous sign has been removed within seven (7) days of removal, by certified United States mail, return receipt requested and by first class United States mail.
 - c. Signs removed in compliance with this section shall be stored for thirty (30) days, during which time they may be recovered by the responsible party upon payment to the City for costs of removal and storage. If not recovered within the thirty-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the City. The reasonable cost of the removal and storage may be assessed against the owner of the sign(s) and/or the property owner. If not paid, the applicable costs may be imposed as a

tax lien against the property. Notice of the imposition of the tax lien shall be sent to the owner of the property by certified United States mail, return receipt requested, as well as by first class United States mail. Costs of removal and storage (up to thirty (30) days) may be billed to the responsible party.

(Ord. No. 1321, Sec. 2, 4-3-07)

9405 - ADMINISTRATION AND ENFORCEMENT

- a. *Responsibility.* The Community Development Director shall have the authority to administer and enforce all the provisions of this chapter in accordance with the provisions of this Code and the currently adopted Uniform Building Code.
- b. *Interpretations.* If any ambiguity arises concerning the appropriate application of the sign code, the Community Development Director shall make the final decision as to the application of this sign code. In making this determination, the Director shall consider (but not be limited to) the following items:
1. The general intent and purpose of the sign code.
 2. Prior administrative interpretation of similar provisions of the sign code.
 3. The general intent and purpose of similar provisions in the sign code.
 4. The intent and purpose of the zone classification of the property involved.
 5. The provisions of the general plan.
 6. Any other applicable codes or requirements, legally permitted precedents or other relevant information applicable to the application.
- Any decisions of the Community Development Director may be appealed to the Planning Commission pursuant to the appeals procedure in this chapter.
- c. *Legal Nonconforming Signs.* A legal nonconforming sign shall be made to conform to all provisions of this Chapter if the Director determines that any of the following events occur:
1. A legal nonconforming sign shall not be changed to another nonconforming sign.
 2. A legal nonconforming sign shall not be structurally altered so as to extend its useful life. A sign shall be considered to be structurally altered if the construction materials are physically replaced with new materials. The replacement of face copy in a cabinet-type sign does not constitute structural alteration.
 3. A legal nonconforming sign shall not be expanded or altered so as to change the size, shape, position, location or method of illumination of the sign.
 4. A legal nonconforming sign shall not be reestablished after discontinuance of the use for ninety (90) days or more. If any use is wholly discontinued for any reason, except pursuant to a valid order of a court of law, for a period of ninety (90) days, it shall be presumed that such use has been abandoned in accordance with Section 9405d. All other provisions of the enforcement Section 9405e shall apply.
 5. A legal nonconforming sign shall not be reestablished after damage or destruction of more than fifty (50) percent of its replacement value, including destruction by an act of God.

(Ord. No. 1397, Sec. 10, 11-15-11)

- d. *Abandoned signs and advertising displays.* Lawfully erected signs or advertising displays pertaining to activities or occupants that are no longer using a property shall be removed by the responsible

party from the premises within sixty (60) days after abandonment. A sign is considered abandoned if the occupants are no longer conducting business for a period of ninety (90) days. (Ord. No. 1367, Sec. II, 4-6-10)

e. *Enforcement, legal procedures, and penalties.* Enforcement, legal procedures and penalties with all with recovery costs shall be in accordance with the following provisions and any provisions of state law as may be amended from time to time.

1. Notice and removal.

(a) *Notice of violation.* Where it is determined that a sign is constructed, erected or installed in violation of this Chapter; improperly maintained; abandoned; illegal; unsafe; or the sign permit has terminated, been revoked or is otherwise in violation of this Chapter; and written notice is required pursuant to this Chapter, such notice shall be mailed or delivered to the responsible party. If the notice cannot be sent or delivered to the responsible party, then the notice shall be attached to the sign. The notice shall give the responsible party an opportunity to cure the violation or to appeal the City's determination to remove without notice and shall include instructions for how to request a hearing or appeal. An invoice for costs may be included with the notice.

(b) *Removal with notice.* If the City is required to remove any signs or if no response is made to a notice of violation, the sign may be removed by the City. The sign will be stored by the City for a period of thirty (30) days and may be reclaimed by the responsible party after the payment of all removal and storage costs. Any sign not reclaimed within such time, may be destroyed or disposed of by the City. In the event the responsible party does not reclaim the sign, or pay all fees assessed by the City, the City may recover its costs through the cost recovery mechanism identified in this section.

(c) *Removal without notice—Nominal value signs.* Notwithstanding any other provision herein to the contrary, nominal value signs in the public right-of-way, public parkway area, or easements, excepting political signs, if posted in clear disregard of the provisions of this Chapter, may be removed and destroyed without notice or hearing. Signs constructed of cloth, paper, cardboard or scrap wood, with hand drawn or painted lettering, unframed and unmounted or staked to the ground or nailed to a post and any other sign believed to have a value of less than two hundred dollars (\$200.00) may be determined by the Director of Community Development to have nominal value.

2. Nuisance. Notwithstanding any other provision under this Code, all illegal signs are declared to be a public nuisance and are subject to the public nuisance procedures set forth in Chapter 5, "Property Maintenance And Nuisance Abatement Regulations and Standards," of the Tustin Municipal Code.

3. Civil and legal procedures. Notwithstanding the enforcement tools described in this chapter, the City may concurrently utilize all available criminal and legal penalties available to it including infraction and misdemeanor citation provisions contained in Section 1121 of the Tustin City Code.

4. Cost recovery. The City shall have the right to recover from a responsible party the full costs of legal remedies, confiscation, storage and disposal of said sign. An account of all costs for confiscation, removal, storage and/or disposal shall be maintained by the Community Development Department. The total costs of abatement including all administrative costs shall constitute a special assessment against the sign owner and/or property owner. (Ord. No. 1367, Sec. II, 4-6-10)

5. Hearings.

(a) Unless stated otherwise in this Chapter, any person who has received a notice and/or invoice pursuant to this Chapter may request a hearing. Any hearing request must be in writing with the Community Development Director within ten (10) business days of the date

of mailing of the notice/invoice. The request for hearing must set forth the basis of such person's objection.

- (b) Upon receipt of a request for a hearing, the Community Development Director shall set a hearing date before a hearing officer appointed by the City Manager within thirty (30) days of receipt of the request for a hearing. The Director shall provide the person requesting the hearing at least five (5) days advance notice of the hearing date. The hearing date may be changed by mutual consent of the Community Development Director, the person requesting the hearing, and the hearing officer. At the hearing, the person requesting the hearing will have an opportunity to present evidence supporting his/her position.
 - (c) Within thirty (30) days following the conclusion of the hearing, the hearing officer shall render a written decision. A copy of this decision shall be promptly sent to the responsible party. This decision shall be final unless appealed by the responsible party (also referred to as the "appellant").
 - (d) If no appeal is filed, the responsible party, within seven (7) days, following the finality of the determination of the hearing officer shall commence the repairs or improvements or removal ordered, and such work shall be completed within ninety (90) days from the commencement thereof, unless otherwise agreed to by the Community Development Department.
- f. *Appeals.* Any person may appeal any decision of the Director of Community Development in accordance with Section 9294 of this Code. (Ord. No. 1366, Sec. 28, 11-17-09)
- g. *Compliance with State and Federal Regulations.* Nothing contained in this chapter shall be construed as permitting signs which violate State or Federal law, or as eliminating the necessity of full compliance with all such laws affecting erection or maintenance of signs.
- h. *Severability.* All of the provisions of this Chapter shall be construed together in order to accomplish the purpose of these regulations. If any provision of this Chapter is held by a court to be unconstitutional, such unconstitutionality shall apply only to the particular facts, or if a provision is declared to be unconstitutional as applied to all facts, all of the remaining provisions of this Chapter shall continue to be fully effective.

(Ord. No. 1321, Sec. 2, 4-3-07)

9406—9411 - CHARTS

The charts on the following pages provide general regulations for signs defined in Section 9402. The regulations also serve as guidelines for sign programs and zoning districts. Each class of sign has specific regulations designed for a particular use of the sign. These regulations are provided in a matrix format which identifies class of signs, type of signs, sign area, quantity, height, location, illumination and permit requirements. Additional sign regulations are contained in Sections 9403 and 9404. (See charts at end of Section 9413.)

(Ord. No. 1321, Sec. 2, 4-3-07)

9412 - GRAPHICS

The graphics on the following pages illustrate various types of signs, building frontage and sign area calculations. (See graphics at end of Section 9413.)

(Ord. No. 1321, Sec. 2, 4-3-07)

9413 - NONCOMMERCIAL SIGNS

No provision of this Chapter shall be construed to limit the rights of owners of signs regulated by this Chapter to display noncommercial messages on any sign authorized by this Chapter.

(Ord. No. 1321, Sec. 2, 4-3-07)

9406 TEMPORARY SIGNS ALLOWED IN ALL ZONING DISTRICTS								
Class	Type of Sign	Permit Required	Maximum Sign Area (in sq. ft.)	Maximum Number	Maximum Height (in feet)	Location	Illumination Allowed	Remarks
A. Construction	Fence, wall, freestanding or pole	Yes	16	One per street frontage	16	Attached to construction fence, wall or ground-mounted and subject to visual clearance requirements	No	<p>a. Copy limited to name, address, phone number and emergency contact information only.</p> <p>b. Sign must be installed after issuance of grading and/or building permits for the project.</p> <p>c. Sign shall be removed prior to approval for occupancy of the project.</p>

B. Project Identification	Fence, wall, freestanding or pole	Yes	32	One per street frontage	6	Attach to fence, wall or ground-mounted and subject to visual clearance requirements	No	a. May include information on new developments, developer, architect, contractor, or information about sale or rent of site or building. b. Sign allowed during construction and for a period of 180 days from issuance of first occupancy permit.
C. Real Estate (re-sale/lease/rent) 1. Commercial (on-site)	Fences, wall, freestanding or pole	See remark b.	a) less than 200' street frontage: 16 b) 200' or more street frontage: 24	One per street frontage	a) 6 b) 8	To be on premises for rent, lease, or sale only	No	a. Copy shall pertain to the resale, re-rent, or re-lease of the property. b. Check with the Building Department to determine if a building permit should be obtained.
2.	Fence,	See	16	One per	6	To be on	No	a. Copy shall

Professional/Office (on-site)	wall, freestanding or pole	remark b.		street frontage		premises for rent, lease, or sale only		pertain to the resale, re-rent, or re-release of the property. b. Check with the Building Department to determine if a building permit should be obtained.
3. Industrial (on-site)	Fence, wall, freestanding or pole	See remark b.	32	One per street frontage	10	To be on premises for rent, lease, or sale only	No	a. Copy shall pertain to the resale, re-rent, or re-release of the property. b. Check with the Building Department to determine if a building permit should be obtained.
4. Residential—Nonornamental (on-site)	Stake or post	No	6	One per street frontage	4	To be on premises for rent, lease, or sale only	No	
5. Residential—Ornamental (on-site)	Stake or post	No	6	One per street frontage	7	To be on premises for rent, lease, or	No	

						sale only		
7. Vacant land any district	Fence, wall, freestanding or pole	See remark c.	20	One per street frontage	8	To be on premises for rent, lease, or sale only	No	a. Site shall contain a minimum of 5 acres. b. Copy shall pertain to the sale, rent or lease of the property. Check with the Building Department to determine if a building permit is required.
D. Off-premises commercial	Stake	No	4	A maximum of two (2) signs per commercial enterprise shall be posted per street intersection and one (1) sign abutting any one	4	In public right-of-way between curb line and the sidewalk subject to visual clearance requirements	No	a. Subject to the regulations of Section 9403e11 of this Chapter. b. Permitted for commercial enterprise in the City of Tustin for which business identification signs are not allowed.

				(1) parcel.				
E. Special event 1. Private property	Banner (see remark d.)	Yes	32; 100 on a buildin g elevati on of at least 1,000 square feet that faces a freewa y or major arterial	One per street frontage	Freestan ding banners not to exceed 12' from finished grade. Maximu m vertical sign height of 6 feet.	Below roof eave or top of fence of wall. Shall be securely affixed to wall or fence, and subject to all Building Departme nt requirem ents	No	a. Subject to temporary sign regulations in Section 9403d of this Chapter. b. Temporary sign permit is a discretionary permit which is subject to review and approval by the Community Development Department. c. Permitted for nonresidential projects only. d. May be freestanding or building mounted.
	Flag	Yes	6	5	12		No	a. Subject to the regulations in Section 9403b of this Chapter. b. Permitted for

								nonresidential projects and residential projects only in conjunction with Project ID sign (class B above).
2. Public events	Banner	Yes	140; Maximum horizontal width of 35 feet	One	On designated poles only. Maximum vertical height of 4 feet.	Within the public right-of-way.	No.	a. Subject to the regulations in Section 9403d of this Chapter. b. Permitted only for events and promotions open to the public and sponsored by the City of Tustin.

9407 RESIDENTIAL DISTRICTS*								
Class	Type of Sign	Permit Required	Maximum Sign Area (in sq. ft.)	Maximum Number	Maximum Height (in feet)	Location	Illumination Allowed	Remarks
A. Building identification	Wall, monument, or	Yes	15	One per project entrance	Monument: 6	On building wall below roof eave,	Yes	a. May be used for multifamil

	canopy					on canopy, or ground-mounted and must meet visual clearance requirements.	<p>y housing projects only.</p> <p>b. Copy to identify only the name and address of project. Project address not included in sign area.</p> <p>c. If sign includes vacancy information which is physically and aesthetically integrated into the sign, then the maximum size of such sign may be 21 square feet.</p> <p>d. Changeable copy to identify vacancies is permitted</p>
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								without approval of a CUP.
B. Permanent real estate	Wall or monument	Yes	6	One per project entrance	Monument: 6	On building wall below roof eave, on canopy, or ground-mounted and must meet visual clearance requirements.	Yes	a. Permitted for multifamily housing projects only. b. Copy to identify only rental information. c. Changeable copy to identify vacancies is permitted without approval of a CUP.
C. Tract identification	Wall or monument	Yes	32 square feet of aggregate area per entrance	Two per project entrance	6	On project wall or ground-mounted and must meet visual clearance requirements.	Yes	a. For the purpose of identifying the name of the tract only.

* Also applies to Planned Community Districts where Development Plan does not establish standards.

9408 COMMERCIAL DISTRICTS*

Class	Type of Sign	Permit Required	Maximum Sign Area (in sq. ft.)	Maximum Number	Maximum Height (in feet)	Location	Illumination Allowed	Remarks
A. Center Identification	Monument	Yes	75	One per street frontage	6	In landscaped area, subject to visual clearance requirements.	Yes	a. Site shall have a minimum of 200 lineal street frontage per sign. b. Permitted for centers only. c. Minimum of 25' separation from side property lines or 50' from another existing pole or monument sign on an adjacent site, whichever is less restrictive. d. Subject to the regulations of Section 9403 of this Chapter.

B. Individual business identificati on (not located within a center)	1. Monume nt	Yes	32	One per street frontage	6	In landscaped area, subject to visual clearance requireme nts.	Yes	a. Permitted for single- tenant sites only. b. Site shall have a minimum of 150 linear feet of street frontage per sign. c. Minimum of 25' separation from side property lines or 50' from another existing pole or monument sign on an adjacent site, whichever is less restrictive. d. Subject to the regulations of Section 9403i.1(h) of this Chapter.
	2. Wall or canopy	Yes	Primary wall: 15% storefro nt area, max. of 75 sq.	One primary		Primary: Front wall or canopy area and below roof eave.	Yes	a. For the purpose of business identification only. b. Secondary signs shall

			ft.				face onto a street, parking area, or service road.
			Secondary wall: 5% of side or rear wall area, max. of 25 sq. ft.	Two secondary		Secondary: Side wall or other non-primary wall and below roof eave.	c. Maximum of one secondary sign per building face. d. The amount of signage permitted on the primary wall may be switched with the signage on a secondary wall provided the Community Development Department determines that the secondary wall would be more visible to a street or parking area and would not have a negative impact on surrounding land uses.

	3. Window	No	25% of window area upon which sign is located		Height of window	Permitted only on the window surface	Yes	a. Copy may include hours, address, phone number, emergency information, or special announcements. b. Permanent display or window lettering authorized on interior or exterior surface of window or glass door.
C. Individual business identification (within a center)	1. Monument	Yes	32	One per business	6	In landscaped area adjacent to street, and subject to visual clearance requirements.	Yes	a. Permitted for individual tenant located in a freestanding building within a business center having a minimum of 5,000 square feet of floor area. b. There shall be a minimum of 100 lineal feet

								<p>separating each monument sign with a center.</p> <p>c. Monument signs shall maintain a minimum 25' separation from side property lines or 50' separation from another pole or monument sign on an adjacent site, whichever is less restrictive.</p> <p>d. Subject to the regulations of Section 9403i.1(h) of this Chapter.</p>
	2. Wall or canopy	Yes	Primary wall: 15% storefront area, max. of 75 sq. ft.	One primary	Height of window	Primary: front wall or canopy area below and roof eave	Yes	a. for the purpose of business identification only. Secondary signs shall face onto a street, parking area, or service
			Secondary wall:	Two secondary		Secondary: side wall or	Yes	

			5% of side or rear wall area, max. of 25 sq. ft.	y		other non-primary wall and below roof eave		road. c. Maximum of one secondary sign per building face. d. The amount of signage permitted on the primary wall may be switched with the signage on a secondary wall provided the Community Development Department determines that the secondary wall would be more visible to a street or parking area and would not have a negative impact on surrounding land uses.
3. Arcade	Yes	6		One double face	Below arcade	Attached to the underside of arcade,	Yes	a. Minimum of 7-foot clearance between

						and perpendicular to storefront.		sidewalk and the lowest point of the sign. b. Permitted only for individual businesses located within a center.
	4. Window	No	25% of window area upon which sign is located		Height of window	Permitted only on the window surface.	Yes	a. Copy may include hours, address, phone number, emergency information, or special announcements. b. Permanent display or window lettering authorized on interior or exterior surface of window or glass door.
D. On-premises directional	Wall or freestanding	No	4	One per street access to project and one per store	Freestanding: 4	Freestanding: Subject to visual clearance requirements.	Yes	a. Copy limited to information relating to parking, exit/entrance

				entrance		Wall: On building wall on 1st floor and in no case higher than 15' from ground.		, directional and similar information, but in no case business or product identification. b. Signs shall be designed to be viewed from within the site by pedestrians and/or motorists. c. May provide more than 1 per entrance in order to facilitate smooth internal circulation if a deviation is granted in a Master Sign Plan. See Section 9403i.2.
E. Tenant directory	Monument	Yes	75 sq. ft.; 6 sq. ft. per tenant	One per center	6	Subject to visual clearance requirements	Yes	a. Must be incorporated within Center Identification Sign, class A above. b. Tenant signs shall be

								of uniform size, design and background color.
F. Gasoline Service Station Uses 1. Business identification	a. Monument	Yes	32	One per business	6	In landscaped area, subject to visual requirements. Located at angle where street intersects on corner sites, or facing directly to streets on interior lots.	Yes	a. Pricing information shall be incorporated within business identification monument sign. b. Site shall have a minimum of 150 lineal feet of street frontage. c. On corner lots, only 1 sign is permitted and must be located at the corner of the site.
	b. Wall or canopy	Yes	Primary wall: 15% storefront area, max. of 75 sq. ft.	One primary		Primary: Front wall or canopy area and below roof eave.	Yes	a. For purposes of identification only. b. Secondary signs shall face onto street,

			Secondary wall: 5% of side or rear wall area, max. of 25 sq. ft.	Two secondary		Secondary: Side wall or other non-primary wall and below roof eave	Yes	parking area, or service road. c. Maximum one secondary sign per building face. d. The amount of signage permitted on the primary wall may be switched with the signage on a secondary wall provided the Community Development Department determines that the secondary wall would be more visible to a street or parking area and would not have a negative impact on surrounding land uses.
c. Window	No	25% of window			Height of window	Permitted only on the	Yes	Copy may include

			area upon which sign is located			window surface		hours, address, phone number, emergency information, or special announcements.
2. Gasoline pump information	Wall	No	2	Two per pump island elevation	6	Attached to pump islands only, not on top of or attached to gasoline pumps	Yes	a. For the purpose of providing instructions only; does not include state and federal required signs. b. No advertisement or products, logos, or business identification allowed.
3. Price information	Wall or monument	Yes	See remarks a. and c.	Monument: One Wall: One	See remarks a. and c.	Visible from each adjacent street or highway	Yes	a. Pricing information shall be incorporated with business identification signage, Class F.1, above. b. Prices of all major grades sold on-premises

								shall be identified. c. Minimum 6-inch high letter size.
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* Also applies to Planned Community Districts where Development Plan does not establish standards.

9409 PROFESSIONAL/OFFICE DISTRICTS*								
Class	Type of Sign	Permit Required	Maximum Sign Area (in sq. ft.)	Maximum Number	Maximum Height (in feet)	Location	Illumination Allowed	Remarks
A. Building or center identification	Wall or monument	Yes	24	One per street frontage	Monument : 6	Wall: Below roof eave. Monument: In landscaped area and subject to visual clearance requirements.	Yes	a. For the purpose of identifying the name of a building or center only. b. Where building is occupied by a single tenant or a major tenant, this sign may identify a business name in place of Sign B., listed below. The

								name on this sign shall be determined by the property owner.
B. Tenant directory	Wall or monument	Yes	75 sq. ft.; 6 sq. ft. per tenant	One per building entrance	6	Wall or ground-mounted in landscaped area	Yes	a. Must be incorporated within center or building identification sign. b. Tenant signs shall be of uniform size, design and background color.
C. Business identification	1. Wall or canopy	Yes	6 square feet with a maximum horizontal width of 12 feet	One per tenant		On building wall or canopy on the 1st floor and in no case higher than 20 feet above the ground	No	a. For the purpose of business identification only. b. The maximum letter height of 16" is permitted.
	2. Arcade	Yes	6 square feet per face	One double-faced sign per	Below arcade	Attached to the underside of arcade	No	Minimum of 7-foot clearance between

				tenant		and perpendicular to storefront		sidewalk and the lowest point of the sign.
D. On-premises directional	Wall of freestanding	Yes	4	One per street access to project and one per store entrance	Freestanding: 4	Freestanding: A minimum of 20-foot setback from property line and subject to visual clearance requirements Wall: On 1st floor and in no case higher than 15' above the ground	No	a. Copy limited to information relating to parking, exit/entrance, directional and similar topics, but in no case business or product information b. Signs shall be designed to be viewed from within the site by pedestrians and/or motorists. c. May provide more than 1 per entrance in order to facilitate smooth internal circulation

								if a deviation is granted in a Master Sign Plan. See Section 9403i.2.
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* Also applies to Planned Community Districts where Development Plan does not establish standards.

9410 INDUSTRIAL DISTRICTS*								
Class	Type of Sign	Permit Required	Maximum Sign Area (in sq. ft.)	Maximum Number	Maximum Height (in feet)	Location	Illumination Allowed	Remarks
A. Center identification	Monument	Yes	75	One per street frontage	6	In landscaped area and shall meet visual clearance requirements	Yes	For the purpose of identifying the name of the center only.
B. Business identification for individual tenants within a center	Wall or canopy	Yes	12	One per tenant	N/A	Wall or front of canopy, and below roof eave	Yes	a. Signs for the purpose of business identification only. b. Sign shall face onto a street or parking area only.

C. Individual business identification	1. Wall	Yes	64	One per street frontage	N/A	Front wall below roof eave	Yes	a. For the purpose of business identification only. b. For single tenant sites only.
	2. Monument	Yes	32	One per street frontage	6	In landscaped area and shall meet visual clearance requirements	Yes	a. For the purpose of business identification only. b. For single tenant sites only.
D. Tenant directory	Monument or wall	Yes	75 sq. ft; 6 sq. ft. per tenant	One per center	6	In landscape area and shall meet visual clearance requirements	Yes	a. Must be incorporated within center identification sign. b. Tenant signs must be of uniform size, design and background color.

* Also applies to Planned Community Districts where Development Plan does not establish standards.

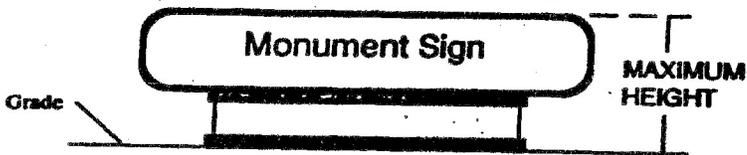
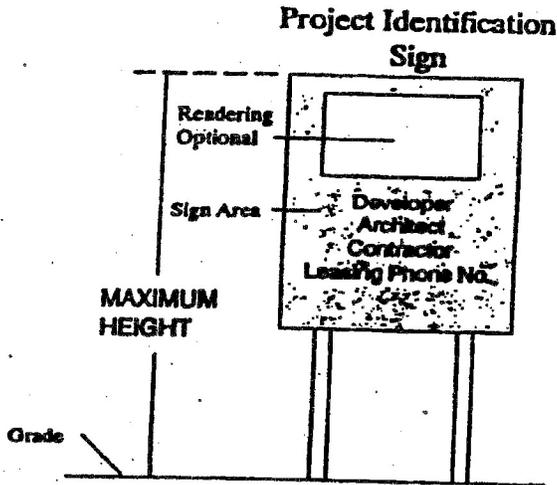
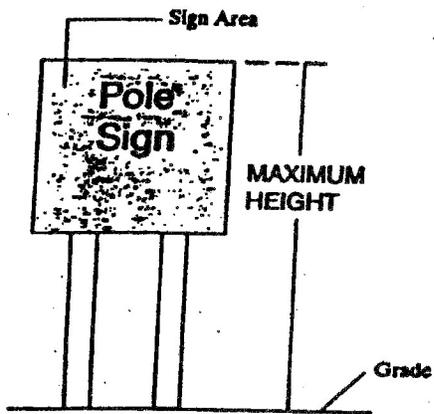
9411 PUBLIC AND INSTITUTIONAL DISTRICTS*

Class	Type of Sign	Permit Required	Maximum Sign Area (in sq. ft.)	Maximum Number	Maximum Height (in feet)	Location	Illumination Allowed	Remarks
All signs in this district shall be subject to a Conditional Use Permit. Must also submit a Master Sign Plan								

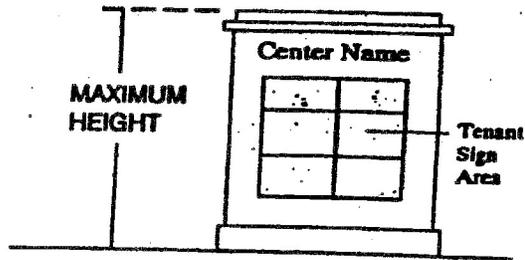
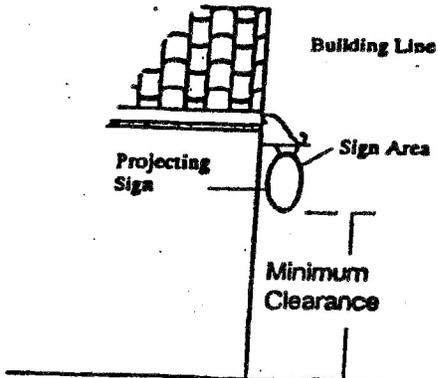
* Also applies to Planned Community Districts where Development Plan does not establish standards.

9412

Types of Signs



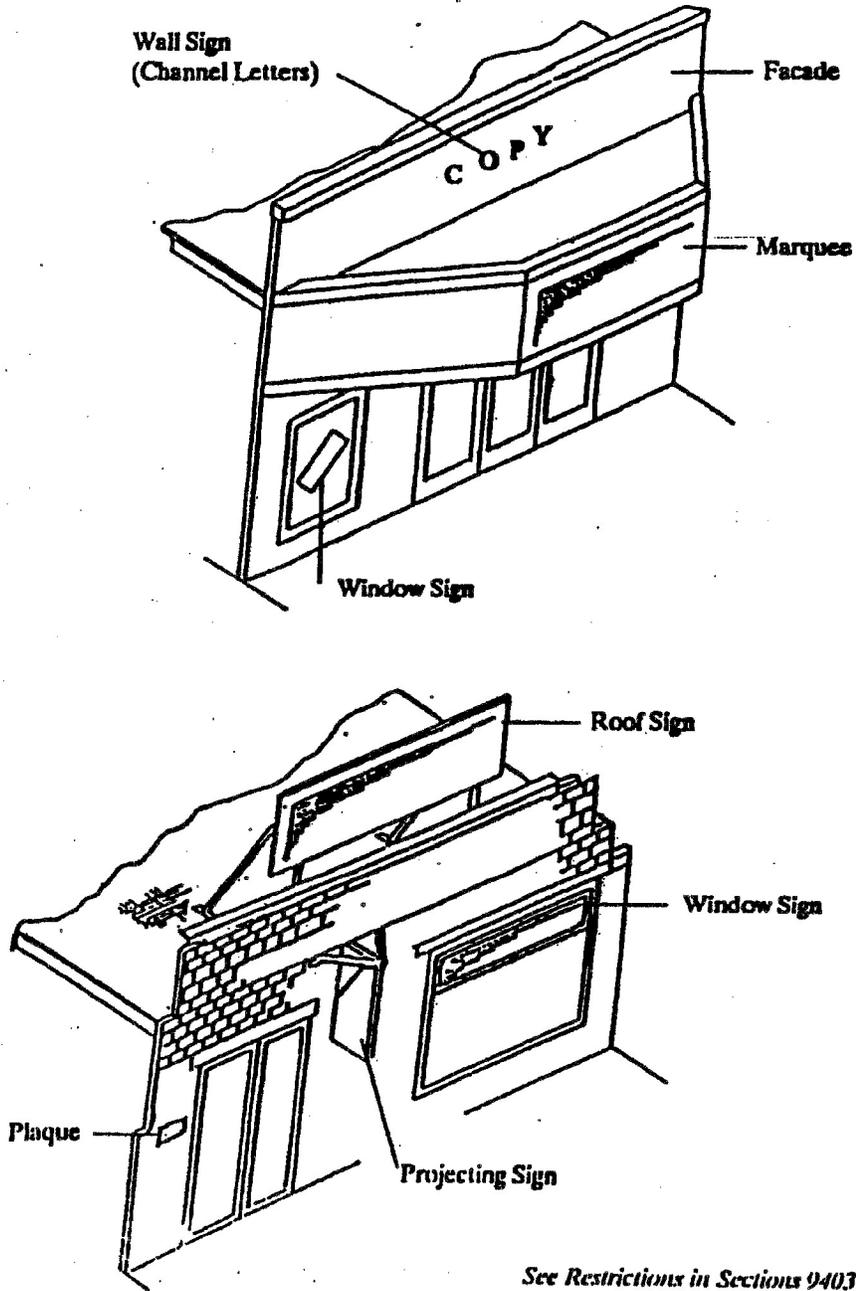
Projecting Sign



See Restrictions in Sections 9403 - 9411

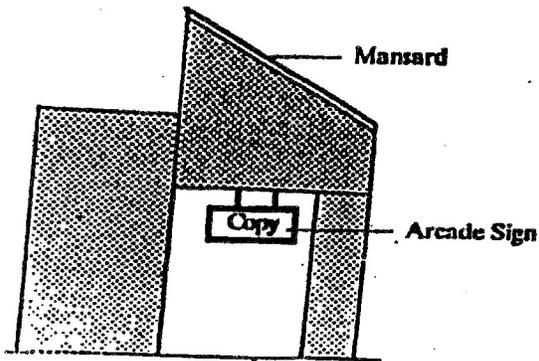
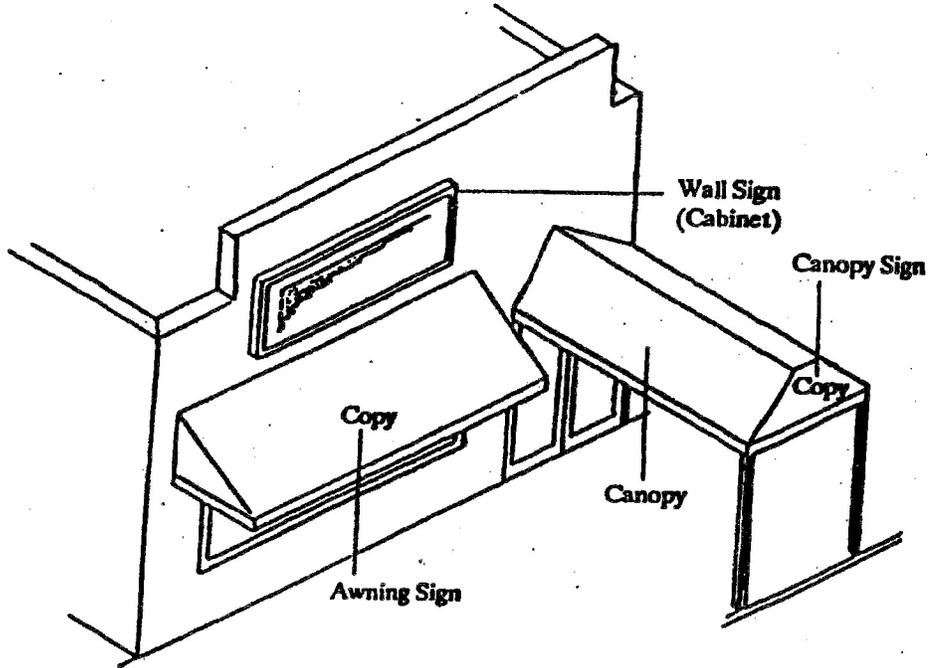
9412

Types of Signs



See Restrictions in Sections 9403 - 9411

Types of Signs

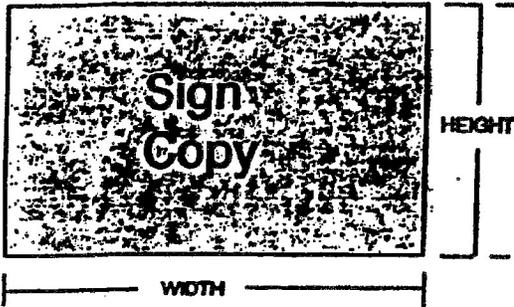


See Restrictions in Sections 9403 - 9411

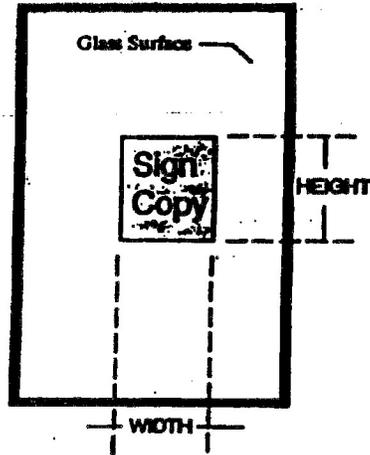
Sign Area Measurements

Definition of Sign Area Measurements by Sign Type:
Width x Height = Sign Area

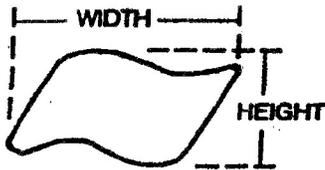
Rectangular Signs Canister Wall or Freestanding Signs



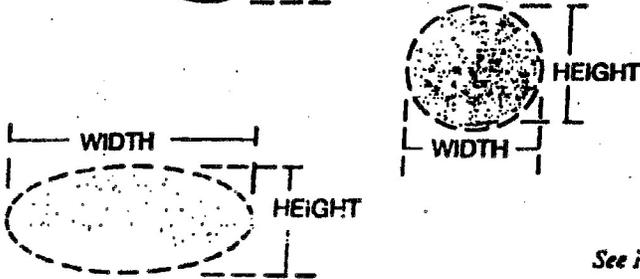
Window Signs



Other Shapes

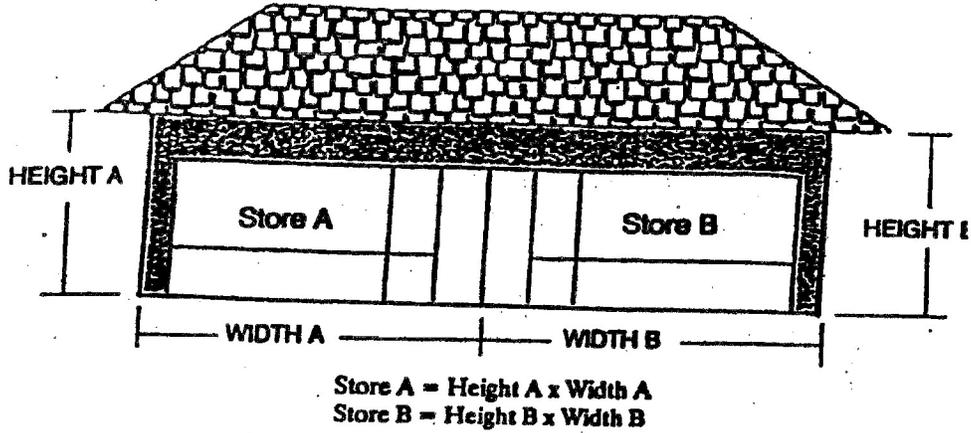


Attached Wall Signs Channel Letters

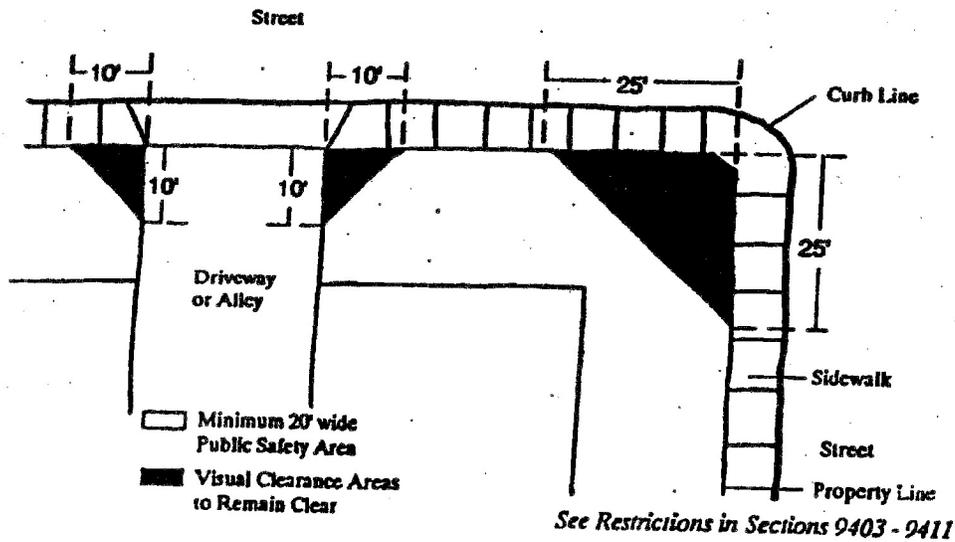


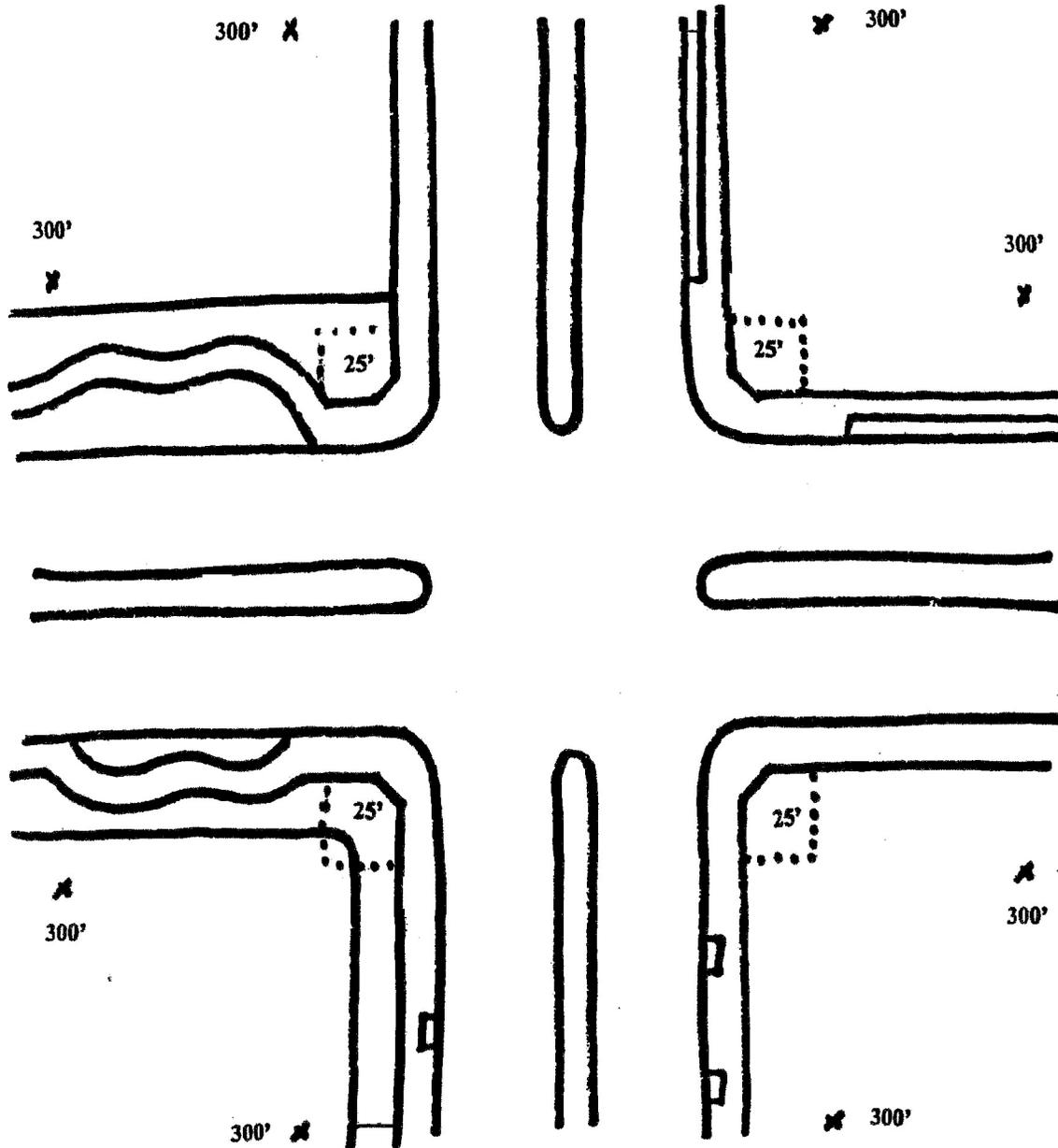
See Restrictions in Sections 9403 - 9411

Building Frontage Calculations

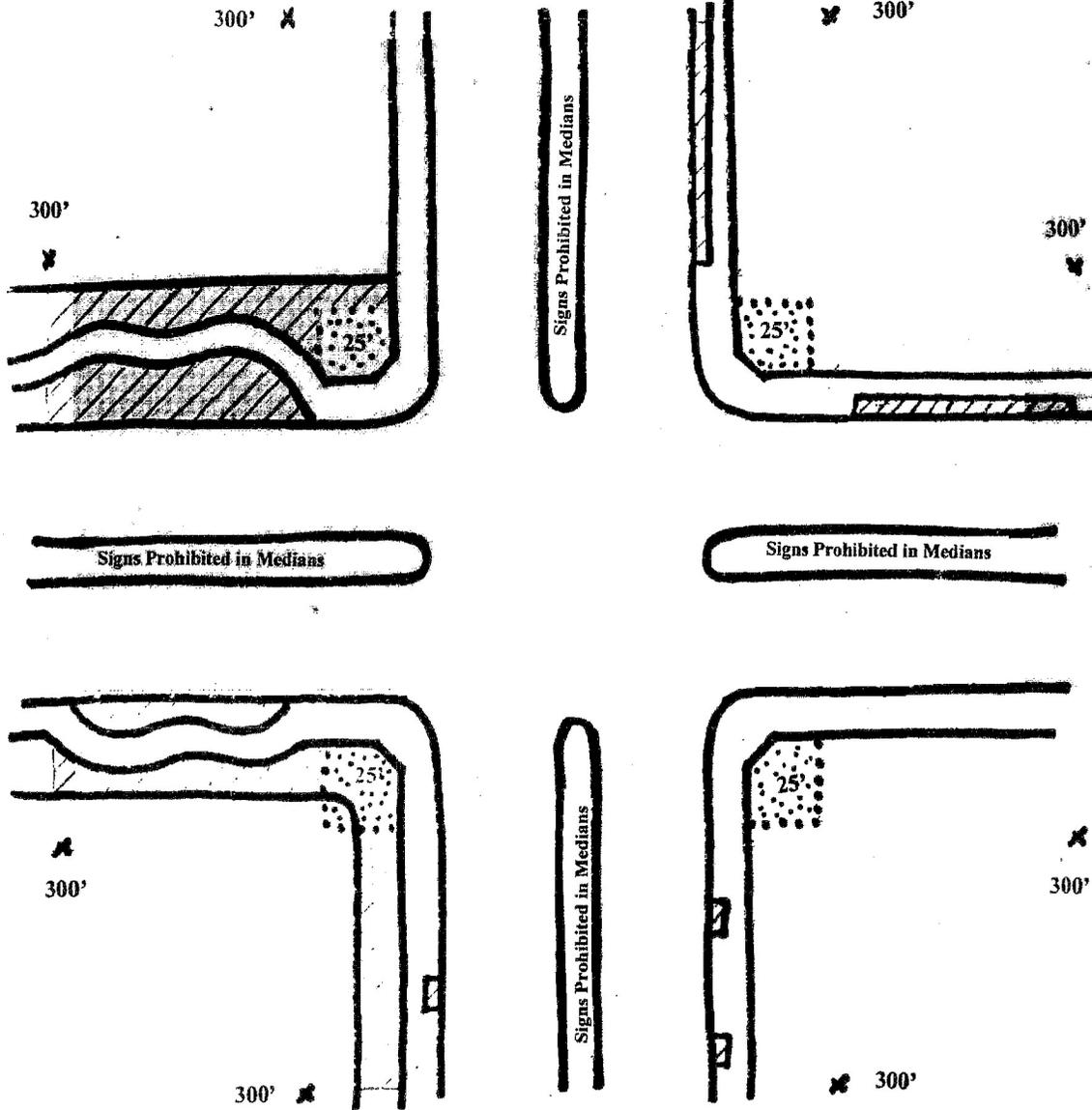


Guidelines for Determining Sign Location Visual Clearance and Public Safety Areas





**Acceptable Locations for
Posting Real Estate Open House Signs
in the Public Right-of-way**



 Acceptable Locations for Posting Real Estate Open House Signs in the Public Right-of-way

 Visual Clearance Area

