



COMMUNITY DEVELOPMENT DEPARTMENT

DATE: September 5, 2019

TO: Planning Commission

APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

CASE NO.: ZOA-01663-2019

LOCATION: City-wide

REQUEST: Request for the Planning Commission to adopt a Resolution relating to Zoning Ordinance Amendment Case No. ZOA-01663-2019 recommending that the City Council adopt an ordinance to amend Division 5 (Sign Regulations) of Part 2 (Special Regulations) of Chapter 6 (Regulatory Provisions) of Article IX (Zoning) of the Agoura Hills Municipal Code and to make a determination of exemption under the California Environmental Quality Act.

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines.

RECOMMENDATION: Staff recommends that the Planning Commission adopt a Resolution recommending that the City Council adopt an Ordinance revising the sign regulations, and making a determination of exemption under the California Environmental Quality Act.

I. PROJECT BACKGROUND AND DESCRIPTION

The purpose of this Zoning Ordinance Amendment is to revise the Agoura Hills Municipal Code pertaining to sign regulations.

Staff has prepared a draft sign ordinance amendment to address the United States Supreme Court's decision in 2015 on a court case entitled *Reed vs. Town of Gilbert* ("*Reed*"). In short, the United States Supreme Court established a strict "content-neutral" standard for sign regulations to be enforceable. Any sign regulation that defines different category of signs based on the message it conveys and then subjects each category to different sets of restrictions can be considered content-based regulation. The Supreme Court's decision regarding "content neutrality" affects local sign ordinances nationwide. While the City's policy has always been geared toward regulating signs on a content-neutral basis, the *Reed* decision requires substantial changes to the language of the City's sign regulations to ensure their continued enforceability. Thus, City staff, in consultation with the City Attorney's office has redrafted the sign regulations to satisfy the requirements of the United States Supreme Court's *Reed* decision.

The City Council is aware that staff will be updating the sign ordinance in two phases. Phase 1 will consist of addressing content neutrality and miscellaneous administrative revisions; and Phase 2 will consist of a comprehensive review of the sign ordinance. Staff will commence Phase 2 shortly after completion of Phase 1.

Accordingly, the purpose of the subject Phase 1 review by the Planning Commission at this time is to: (1) make legal and technical changes to the sign ordinance to address content neutrality; and (2) to make a number of administrative revisions to the sign ordinance including reformatting. The role of the Planning Commission is to review the attached draft Ordinance and direct staff to forward the Commission's recommendations to the City Council. The City Attorney has reviewed the draft Ordinance, and has found it acceptable as to form.

II. STAFF ANALYSIS

Staff worked with the City Attorney in drafting the proposed Phase 1 sign ordinance amendments to address the legal issues associated with content neutrality while maintaining the substance and intent of the current sign ordinance and the City's goals for community aesthetics. Regulations in the current sign ordinance that staff found as content based were replaced by language using "time, place, and manner" ("TPM") criteria to achieve content neutrality. In addition to using TPM criteria, staff applied practical experience in crafting language that was sensible, feasible, and enforceable in the proposed sign ordinance amendments.

For example, currently the sign ordinance contains a definition of "real estate sign" which is defined by its copy as follows: "Real estate sign means a temporary sign advertising the sale, lease, or rental of the property upon which it is located, and the identification of the person or firm handling such sale, lease, or rental." The current sign ordinance further specifies restrictions, such as size, height, type of structure, location, and timeframe for removal specific to that type of sign. This is considered content based because how the sign is regulated is based on what the sign says.

In order to achieve content neutrality, the draft ordinance (Exhibit C) removes reference to “real estate sign” and replaces it with a new definition, “yard sign,” which applies generically to temporary signs placed in the front yard. A yard sign is defined as “temporary sign placed in the ground or attached to posts, or poles and not attached to any building.” The “temporary signs” section of the draft ordinance further stipulates the maximum allowable size, height, number, and time duration of yard signs in the residential versus commercial zones with no reference to sign copy (See Section 9655.10.B). For Planning Commission’s reference, staff has prepared the attached Exhibit A - “Summary of Changes” which is a chart showing the pertinent changes in the sign ordinance.

Staff is also taking the opportunity in Phase 1 to make certain administrative revisions to the sign ordinance, notably reformatting the organization of the ordinance for streamlining and ease of use. For example, the sign ordinance will be reorganized in a more logical fashion from general to specific. This included reorganizing the sections such that procedures, standards, and regulations relating to permanent signs are grouped together in sequence from Sections 9655.5 to 9655.9. Also, the draft ordinance proposes to consolidate all temporary sign regulations into one section (Sec. 9655.10). Additionally, all signs that are exempt from the sign ordinance are consolidated into one section (Sec. 9655.11). The reorganization in format will improve the framework of the sign ordinance and will help facilitate comprehensive review and amendment of the ordinance in Phase 2.

Additional administrative refinements include removing obsolete and redundant provisions, making text clarifications, removing overly descriptive language, addressing miscellaneous legal clean-up matters, and simplifying the ordinance where possible. Also, staff is separately keeping track of a number of additional potential areas of revision that are not directly related to content neutrality and anticipates addressing those revisions as part of the more comprehensive sign ordinance amendment review in Phase 2.

Land Use/Economic Development Committee (LU/EDC)

The Land Use/Economic Development Committee (“Committee”) reviewed the draft sign ordinance amendments on July 30, 2019. A number of miscellaneous comments of the Committee have either been incorporated into the draft sign ordinance (Exhibit B) or have been deferred to Phase 2. There are three areas of note for Planning Commission’s review and comment:

1. *Election signs (Sec. 9655.10.F)*— Committee members commented that it would be appropriate to extend the time duration for posting election signs from 30 days to 45 days to coincide with the longer campaign season and the mail out of absentee ballots. This change has been incorporated into the draft ordinance.

2. Yard signs in residential zones (Sec. 9655.10.B.1) - Committee members commented that there should be a time limit placed on yard signs in the residential zones. Staff finds that a 120-day limit within a 12-month period would provide an appropriate time limit. This change has been incorporated into the draft sign ordinance.
3. Banners and signs for charitable or community events (Sec. 9655.10.C) — The current sign ordinance allows maximum 30 sq. ft. temporary noncommercial banners and signs for up to 30 days to advertise upcoming charitable or community events within the City limits. Such signs or banners are allowed on-site or off-site provided that the content consists of noncommercial message to advertise the upcoming event. Staff would note, however, that by removing the content based language (i.e., “noncommercial banner”) as shown in proposed ordinance Sec. 9655.10.C, this provision would make it possible for any commercially zoned property in the City to have a temporary sign or banner, without restriction to copy, whenever there is an upcoming charitable or community event in the City. The Committee expressed concerns with the potential for off-site advertising that was not related to the event that could occur. They had some suggestions to limit this but requested staff to investigate options and to receive feedback from the Planning Commission.

Staff has developed the following options to address banners and signs for charitable and community events:

Option 1 (Allow on-site only): Under this option, temporary signs and banners will only be allowed on-site, i.e., allowed only at the location of the event in commercial zones. Off-site advertising, however, would still be permitted under the separate entitlement of 6 sq. ft. temporary yard signs in residential zones.

Option 2 (Allow on-site and off-site): This option builds on Option 1. In addition to what is suggested in Option 1, the following content neutral provisions could be considered:

- a. Limit off-site advertising to the Commercial Shopping Center (CS) zone, which would include the shopping center property at Kanan Road and Thousand Oaks Boulevard (Currently, community event banners are allowed in all zones.) This is one of the most highly traveled intersections in the City and currently where organizations post banners with the owner’s permission. Moreover, three community shopping centers are located within this zoning district and are frequented by residents. Staff would note that sign-up announcement banners for youth sports programs are also typically placed at schools with their permission.
- b. Limit to events occurring within the City limits. (This is same as current limitation.)

- c. Limit quantity to one sign or banner per street frontage per commercial complex. (Current limitation is one sign or banner per street frontage per parcel.)
- d. Limit time duration to 30 consecutive days prior to the event. (This is same as currently allowed.)
- e. Limit size to 20 square feet. (Current limitation is 30 sq. ft. in size, 10 ft. in length and 6 ft. in height.)

Staff respectfully request the Planning Commission advise staff regarding your recommendation to City Council regarding the above options relative to charitable and community event banners.

Environmental

The Ordinance has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, as the amendments to the Ordinance are covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the project may have a significant effect on the environment, as the project is a proposal to amend the City's sign regulations and does not directly involve the physical development or alterations of land.

Summary

The role of the Planning Commission for this item is to conduct a public hearing on the proposed amendments to the sign regulations in the zoning ordinance and to adopt the attached Resolution with the Commission's recommendations on the proposed Ordinance. The Planning Commission's recommendations will be forwarded to the City Council for consideration at a public hearing, for final action on the proposed ordinance amendment.

Attached for Planning Commission's review are: 1) Summary of Changes chart (Exhibit A); 2) Draft Planning Commission Resolution (Exhibit B); 3) Draft Ordinance (Exhibit C); 4) Draft Redline Ordinance showing the proposed language underlined and old language stricken (Exhibit D); and 5) Sign Photos (Exhibit E).

III. RECOMMENDATION

Based on the foregoing analysis, staff recommends that the Planning Commission adopt a motion to approve a Resolution recommending that the City Council adopt an Ordinance revising the City sign regulations.

IV. ATTACHMENTS

- Exhibit A: Summary of Changes
- Exhibit B: Draft Planning Commission Resolution
- Exhibit C: Draft Ordinance
- Exhibit D: Redline of Current Ordinance
- Exhibit E: Sign Photos

Case Planner: Mike Kamino, AICP, Planning Consultant

EXHIBIT A
SUMMARY OF CHANGES — FOR REFERENCE ONLY

PROPOSED DRAFT ORDINANCE	CURRENT ORDINANCE
<p>Sec.9655 Intent. Added language about content neutrality.</p>	<p>Sec. 9655 Intent. Deleted language about encouraging sign use for business identification.</p>
<p>9655.1 Applicability. No changes.</p>	<p>9655.1 Applicability No changes.</p>
<p>9655.2 Definitions. Added: changeable copy sign; yard sign. Modified: portable sign—redefined to include signs similar to A-frame type of signs only; sign (general definition); temporary sign; window sign— clarified to include permanent and temporary.</p>	<p>9655.2 Definitions. Deleted: address sign; business sign; construction sign; directory sign; identification sign; informational sign; noncommercial sign; noncommercial copy; price sign; real estate sign; vehicle related freestanding sign.</p>
<p>9655.3 Prohibited signs. See comment to the right for proposed changes to this section.</p>	<p>9655.3 Prohibited signs. Deleted: Devices dispensing bubbles and free floating matters; exception to time and temperature signs, vehicle-related portable freestanding sign; arrangement of rocks and vegetation to create sign.</p>
<p>9655.4 General provisions. (“General provisions” section is found in Sec. 9655.7 of the current ordinance). This section lists the provisions regarding how to measure sign area and height, hours of lighting, etc. that apply to temporary and permanent signs. The only changes are the cleanup changes made to the substitution clause.</p>	<p>9655.7 General provisions “General provisions” moved to 9655.4 and cleaned up. See comments on left.</p>
<p>9655.5 Application and review procedures for permanent signs. This section has been cleaned up to include only the sign application and review procedures as follows with no substantive changes: A. Sign permit B. Application materials for sign permit C. Review and approval authority of sign permits D. Criteria for reviewing sign permit applications E. Findings for denial F. Appeals</p>	<p>9655.5 Permit requirements and procedures. “E. Sign standards” moved to “9655.5 General sign standards for permanent sign” and “F. Sign standards for specific types of signs” moved to “9655.7 Standards for specific types of permanent signs” in the draft Ordinance.</p>

EXHIBIT A
SUMMARY OF CHANGES — FOR REFERENCE ONLY

PROPOSED DRAFT ORDINANCE	CURRENT ORDINANCE
<p>9655.6 General sign standards for permanent signs. (Currently, provisions in this new section are found in Sec. 9655.5.E Sign standards).</p> <p>This section lists general requirements that apply to all permanent signs:</p> <ul style="list-style-type: none"> A. Sign integration B. Number of colors C. Types of materials D. Illumination of signs E. Screening 	<p>9655.5.E Sign standards. Removed 25% limitation on descriptive wording and limitation of size of logo to 20% of sign area. Some additional language removed for clean up.</p>
<p>9655.7 Standards for specific types of permanent signs. (Currently, provisions in this section are found in 9655.5.F Standards for specific types of signs.)</p> <p>This section lists requirements for specific types of permanent signs:</p> <ul style="list-style-type: none"> A. Wall signs B. Monument signs C. Awning and canopy signs D. Under canopy signs E. Projecting signs F. Window signs - see below. G. Directional signs - see below. <ul style="list-style-type: none"> • “Window signs” - All permanent signs on window, which currently include “information sign” and “business associates sign,” will be re-categorized as “window signs” with no reference to sign copy. Standards for “window signs” as a permanent sign are added here with a limitation of 5 s.f. cumulative sign area of the total window area. (Current ordinance is silent on max. allowed area of permanent window signs.)(9655.7.F) • “Directional signs” - Kept same 3 s.f., 3 ft. ht. limit but added new setback requirement of 10 ft. from street property line. (9655.7.G) 	<p>9655.5.F Standards for specific types of signs. “Monument signs” will be modified to delete reference to copy such as for identification, directory, or address in the draft Ordinance.</p> <p>Other minor cleanup to specific category of signs. See left for changes to window signs and directional signs.</p>

EXHIBIT A
SUMMARY OF CHANGES — FOR REFERENCE ONLY

PROPOSED DRAFT ORDINANCE	CURRENT ORDINANCE
<p>9655.8 Permanent sign entitlement by land use. (Currently, provisions in this section are found in 9655.8 Sign entitlement by land use and 9655.9 Sign entitlement by specific land use.)</p> <p>A, Residential land use district.</p> <ul style="list-style-type: none"> • For multi-family residential projects, added clarification regarding entitlement for 48 s.f., 6 ft. tall monument sign; removed reference to content of directional signs; • Deleted reference to sign entitlement for family day care, residential day care, and congregate housing. <p>Otherwise no substantive changes to sign entitlements.</p> <p>B. Commercial, business park, and planned development land use district.</p> <ul style="list-style-type: none"> • Reorganized to clearly recategorize the following signs with requirements and restrictions clearly spelled out for each type of sign: wall sign, monument sign, sign on awnings, projecting signs, under canopy signs, on-site and off-site directory signs, and permanent window signs. • Other misc. cleanup include: removed limitation on office buildings to solely identifying the name of the building; reference to “pedestrian” and “vehicular” for directional signs removed. <p>Otherwise no substantive changes to sign entitlements.</p> <p>C. Additional sign entitlement for specific uses.</p> <ol style="list-style-type: none"> 1. Gasoline service stations — “gasoline or fuel price sign” changed to “changeable copy sign” and removed limitation on its copy; copy limitations on “accessory wall sign” removed. Reference to state law added. 2. Signs at drive thru lane or window (currently “fast service restaurants”) — “menu or reader board” changed to “changeable copy sign” and removed reference to copy on that sign. <p>Otherwise no substantive changes to sign entitlements.</p>	<p>9655.8 Sign entitlement by land use. Deleted: Sign entitlements are considered maximums and may be reduced as conditions of approval of sign permit. Otherwise, mainly clean up and reorganization changes to “A. Residential land use district” and “B. Commercial business park and planned development land use district.” (See left for proposed changes.)</p> <p>9655.9 Sign entitlement by specific land use “Gasoline service stations” and “fast food restaurants” moved to Sec. 9655.8.C. (See left for changes.) Additional sign provisions for “theaters” and “automated or manual service facilities” no longer needed.</p>
<p>9655.9 Sign program. Minor clean up only.</p>	<p>9655.6 Sign program See comment on left.</p>

EXHIBIT A
SUMMARY OF CHANGES — FOR REFERENCE ONLY

PROPOSED DRAFT ORDINANCE	CURRENT ORDINANCE
<p>9655.10 Temporary signs. This is a new section consolidating all temporary signs into a new section 9655.10 devoted exclusively to temporary signs.</p> <p>The allowance for each type of sign will mainly be based on non-content based regulations. i.e., time, place, and manner regulations, including by zone, size, and time period they are allowed rather than the purpose or content of the sign. Certain temporary signs will be allowed without specific time limits but by other means such as amount of window coverage and duration of building permits.</p> <p>The draft ordinance is reorganized in a more logical fashion and the various types of temporary signs have been re-categorized as follows for content neutrality:</p> <p><u>Yard signs</u> — “Yard signs” is a new term introduced to the draft sign ordinance to generically reference free standing temporary signs which could potentially be used for advertising of real estate for sale/rent, garage sale, open house, trade construction, and pending future development. Yard signs are temporary signs attached to the ground and not to a building. The draft ordinance proposes separate provisions for yard signs in residential zones vs. commercial zones:</p> <ul style="list-style-type: none"> - <u>residential zones</u> — Max. 2 signs, 6 s.f., 6 ft. ht. allowed. This takes into account what is currently allowed for real estate advertising signs, off-site directional signs, and noncommercial signs. The proposed ordinance deletes the entitlement for on-site and off-site garage sale and open house signs. As the proposed ordinance, however, would allow up to 2 yard signs, one or both of those signs could conceivably be used to advertise open house or garage sale events on-site or off-site. Added 120 day time limit within 12 consecutive months (currently no time limit). (9655.10.B.1) - <u>commercial zones</u> — Max. 2 signs of 32 s.f. and 25 s.f. are allowed between the time when a building permit is issued until notice of completion of construction is issued. These yard signs could potentially be used (but not required to be used) for future development advertising or for construction identification which have separate entitlements in the current code. (9655.10.B.2) 	<p>Provisions and regulations for various temporary signs are found in the following sections in the current sign ordinance:</p> <p>9655.4 General entitlements</p> <ul style="list-style-type: none"> - <u>Residential real estate advertising sign</u> - 1 sign, 6 s.f., 6 ft. ht. allowed. - <u>Open house/garage sale sign</u> — 1 sign, 3 s.f. allowed during event only. - <u>Off-site directional sign during open house</u> — 4 signs, 3 s.f., 4 ft. ht. allowed during event. - <u>Non-commercial sign and banner</u> (includes election signs exception) — 2 signs, 6 sq. ft, 6 ft. ht allowed for upcoming nonprofit event or election; One - 30 sf., 6 ft. ht. sign or banner allowed for upcoming community events. Must be removed when event is over. - <u>Temporary window sign</u> (for “special sale or event period”) — limited by percent of window coverage. <p>9655.10 Special purpose signs</p> <ul style="list-style-type: none"> - <u>Trade construction sign</u> — 1 sign, 32 s.f. allowed when bldg. permits exist. Allowed in any zone. - <u>Land subdivision sale sign</u> - 1 sign, 25 s.f. allowed when lots are available for purchase. - <u>Future development sign</u> —1 sign, max. 25 s.f., 5 ft. high or up to 50 s.f. for each additional acre >1 acre. Allowed between architectural review approval and project completion. - <u>Occupancy sign</u> (to advertise a new business) — 1 banner, 20 s.f. allowed for 90 days. - <u>Commercial and industrial real estate sign</u> — 9 s.f. ground mounted on permanent foundation and 4 s.f. window or wall signs allowed for advertising real estate for sale, lease, or rent. <p>The draft ordinance re-categorizes the above temporary signs and addresses content neutrality using TPM criteria.</p> <p>See comments on left regarding specific changes regarding temporary signs.</p>

EXHIBIT A
SUMMARY OF CHANGES — FOR REFERENCE ONLY

PROPOSED DRAFT ORDINANCE	CURRENT ORDINANCE
<p><u>Charitable or community events</u> — This temporary sign entitlement is currently found w/i the “temporary noncommercial signs and banners” subsection. Under the draft ordinance, 30 sq. ft. signs or banners for 33 days would still be allowed but would be allowed without restrictions on content and allowed only in commercial zones. (9655.10.C) <u>Note:</u> Changes to this subsection are pending Planning Commission review and recommendation.</p> <p><u>New tenancy periods</u> — These are currently called “occupancy signs” and displayed to advertise, e.g., grand openings, new management, and coming soon. For 90 consecutive days from issuance of the sign permit, a 20 s.f. banner is allowed, w/ no limit on content, for any pending or recent occupancies in the commercial zones. (9655.10.D)</p> <p><u>Commercial and industrial real estate marketing period</u> — These are currently called “commercial and industrial real estate signs.” The draft ordinance clarifies that rather than defining these signs based on their purpose, they are defined by the period of time when commercial and industrial properties are for sale, lease or rent on that parcel. The entitlement of one, 9 s.f., 4 ft. tall ground mounted sign and one, 4 s.f. window or wall sign will remain. Note that the current code requirement that the ground mounted sign be placed on a permanent sign structure will also remain. (9655.10.E)</p> <p><u>Temporary window signs</u> — Clarified to be allowed in the commercial zones only. Language in the current ordinance regarding the purpose of the window sign which is for “advertising intermittent sales events or product promotion” has been stricken. Temporary window signs are currently not limited by time and there will continue to be no time limit and continue to be regulated by the current window coverage limitations. (Sec. 9655.10.A)</p> <p><u>Election periods</u> — These provisions are currently found under “temporary non-commercial signs and banners” in the current code. The draft CNSO separates out temporary signs for election periods with the following allowances: during a period of 45 days before and 7 days after an election, 6 s.f. in area and 6 ft. high temporary signs (without limit on quantity) are allowed on private property in all zones. (9655.10.F)</p>	

EXHIBIT A
SUMMARY OF CHANGES — FOR REFERENCE ONLY

PROPOSED DRAFT ORDINANCE	CURRENT ORDINANCE
<p>9655.11 Exempt signs. This is a new section containing all signs that are exempt from the sign ordinance.</p> <p>A. Government signs — cleaned up to delete content based language.</p> <p>B. Flags — “Noncommercial flags” is changed to simply “flags” which removes content reference. Maintain current max. 5’ x 8’ flag dimensions. Clarified to allow only 1 flag pole per developed lot and 35 ft. ht. for commercial vs. 25 ft. for residential lot.</p> <p>C. Required signs — no changes.</p>	<p>9655.4. General entitlements</p> <p>A. Government sign B. Noncommercial flags C. Required signs</p> <p>Above signs moved to Sec. 9655.11. See comments on left regarding specific changes.</p>
<p>9655.12 Administration and enforcement. Minor clean up changes as follows:</p> <ul style="list-style-type: none"> • 15 days to remove unsafe signs reduced to 48 hours. 	<p>9655.11 Administration and enforcement See comments on left regarding specific changes.</p>
<p>9655.13 Nonconforming signs. Cleanup only: Cleaned up to delete content based language on signs for discontinued business (9655.13.D).</p>	<p>9655.12 Nonconforming signs See comments on left regarding specific changes.</p>
<p>9655.14 Appeal of approval or denial of sign permit. Clean up changes only.</p>	<p>9655.13 Appeal of approval or denial of sign permit. See comments on left regarding specific changes.</p>

EXHIBIT B

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONING ORDINANCE AMENDMENT TO THE SIGN REGULATIONS (DIVISION 5 OF PART 2 OF CHAPTER 6 OF ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE); AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CASE NO. ZOA-01663-2019) (CITY OF AGOURA HILLS, APPLICANT)

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

WHEREAS, the Planning Commission has considered a Zoning Ordinance Amendment (ZOA) to update the regulations pertaining to signs in DIVISION 5 (SIGN REGULATIONS) of part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the AGOURA HILLS MUNICIPAL CODE.

WHEREAS, a duly noticed public hearing was held on September 5, 2019 at 6:30 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given; and

WHEREAS, evidence, both written and oral, was duly presented to and considered by the Planning Commission of the City of Agoura Hills at the aforesaid public hearing; and

WHEREAS, after close of the public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by City staff, the staff report, the recommendations, and all other pertinent documents and associated actions regarding the proposed ordinance amendment; and

WHEREAS, the proposed amendments to the sign regulations are consistent with the purposes of the Agoura Hills General Plan as follows: The proposed ordinance amendment is consistent with the City's goals to maintain retail centers and corridor that are well-designed and attractive, providing a positive experience for visitors and community residents, and fostering business activity (Goal LU-13). It is also consistent with Policy LU-13.1 to enhance design quality by reducing visual clutter associated with signage; and

WHEREAS, the provisions of the Municipal Code have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act (CEQA), as amended, and the CEQA Guidelines promulgated thereunder. The Ordinance Amendment has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, as the amendments to the Ordinance are covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the project may have a significant effect on the environment, as the project is a proposal to amend the City's sign regulations and does not involve the physical development or alterations of land.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Agoura Hills recommends that the City Council adopt an "ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING DIVISION 5 (SIGN REGULATIONS) OF PART 2 (SPECIAL REGULATIONS) OF CHAPTER 6 (REGULATORY PROVISIONS) OF ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT," attached hereto as Exhibit "C."

PASSED, APPROVED AND ADOPTED this 5th day of September, 2019, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

John Asuncion, Chairperson

ATTEST:

Doug Hooper, Secretary

EXHIBIT C

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING DIVISION 5 (SIGN REGULATIONS) OF PART 2 (SPECIAL REGULATIONS) OF CHAPTER 6 (REGULATORY PROVISIONS) OF ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, on _____, 2019, the Planning Commission conducted and concluded a duly noticed public hearing concerning this Ordinance as required by law at which the Planning Commission received testimony from City staff and all interested parties regarding the proposed amendments. Following the close of the public hearing, the Planning Commission adopted Resolution No. _____, recommending approval of the draft Ordinance.

WHEREAS, on _____, 2019, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the Ordinance as required by law.

WHEREAS, at the public hearing on _____, 2019, the City Council received testimony from City staff and all interested parties regarding the proposed amendments.

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, the City Council of the City of Agoura Hills hereby ordains as follows:

Section 1. The facts set forth in the recitals of this Ordinance are true and correct.

Section 2. Pursuant to the California Environmental Quality Act (“CEQA”), and the City’s local CEQA Guidelines, City staff has determined that this Ordinance (the “project”) is covered by the general rule that CEQA applies only to projects that have the potential to cause a significant effect on the environment. City staff found that there is no possible significant effect related to the project since the Ordinance proposes to amend certain provisions of the City’s current sign regulations to make minor text clarifications and text revisions. The administrative changes included in the Ordinance will not contribute to any physical changes to the environment; therefore, the project would not result in significant impacts to the environment. No further action is required under CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)). The City

Council has reviewed the project, and based upon the whole record before it, in the exercise of its independent judgment and analysis, finds that City staff has correctly concluded that it can be seen with certainty that there is no possibility the proposed Ordinance may have a significant effect on the environment.

Section 3. Division 5 (SIGN REGULATIONS) of Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended in its entirety to read as follows:

“9655. Intent.

The purpose and intent of these regulations is to establish uniform sign regulations to:

- A. Preserve and enhance the unique character and visual appearance of the city;
- B. Assure proper expression through visual communications involving signs that are compatible with the character and environment of the community;
- C. Enhance the visual quality of the city's scenic highways;
- D. Promote fairness in competition and retain identity in the business community while recognizing the importance of well designed business signs;
- E. Recognize the integral part played by signs in the overall appearance of the city;
- F. Reduce possible traffic and safety hazards by prohibiting signs that are distracting to motorists;
- G. Recognize the function and importance of signs for businesses and the benefit of well-designed business signs to the community as a whole;
- H. Provide guidance and direction for sign users and sign designers as to what constitutes appropriate signs in the city;
- I. Implement the goals of the city's general plan, with particular regard to developing a city that is visually attractive and to preserving and enhancing the visual quality of the community's streets and highways; and
- J. Safeguard the life, health, property, and public welfare by regulating and controlling the design, quality of materials and construction, illumination, location, and maintenance of all signs in a content-neutral manner, while providing functional flexibility and promoting good design.

9655.1. Applicability.

No person shall place, erect, modify, alter or repaint, or permit the placement, erection, modification, alteration or repainting of any sign, unless otherwise specifically exempted by this part, without first obtaining a sign permit in accordance with the provisions of this division. All signs shall be erected and maintained in conformity with this division. The standards regarding number and size of signs regulated by this division are maximum standards unless otherwise stated.

9655.2. Definitions.

Notwithstanding the provisions of Section 9120 *et seq.* of this article, for the purposes of this part, the following words and phrases are defined as follows:

- A. *Area, sign* means the area in square feet determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.
- B. *Awning sign* means any sign or graphic attached to, painted on or applied to an awning or awning canopy.
- C. *Banner* means a strip of cloth, thin plastic or other flexible material on which a sign is painted, printed, or otherwise displayed.
- D. *Changeable copy sign* means a sign or portion of a sign where it is possible to change the copy on a frequent basis.
- E. *Commercial or business park complex* means a group of two (2) or more tenants which are situated as an integral unit, on either a single parcel of land or separate parcels of land, where such businesses utilize common off-street parking or access.
- F. *Directional sign* means a sign located on private property, the sole purpose of which is to direct the flow of pedestrian and vehicle traffic, transmit parking information, or convey similar such information.
- G. *Director* means the director of planning and community development or such director's designee.
- H. *Externally lighted sign* means a sign whose immediate source of illumination is not enclosed by the surface of the sign structure.

- I. *Flag*. A piece of fabric, usually rectangular in shape, that is usually displayed hanging free from a staff or pole, to which it is attached by edge so that it will float, play, or shake in an air current.
- J. *Frontage, building* means the exterior building wall facing or oriented towards a public or private right-of-way. The amount of frontage shall be measured continuously along such building wall for the entire length of the subject business or use.
- K. *Frontage, primary* means the frontage, which provides the subject building with its main or principal orientation to a public or private right-of-way, whether or not such frontage has a public entrance to the building. In shopping centers or multiple tenant buildings, the primary frontage shall be established as part of a sign program.
- L. *Frontage, secondary* means any frontage, other than the primary frontage, that has a public entrance to the subject building.
- M. *Halo illumination* means a form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo.
- N. *Inflatable sign*. An object made of an airtight material, generally greater than eighteen (18) inches in diameter at its widest point, filled with air or gas to form a three (3) dimensional shape and used as a sign.
- O. *Internally lighted* means illumination produced by a light source contained within a sign and not directly visible from outside.
- P. *Legal nonconforming sign* means a sign that was originally erected or installed in compliance with all structural, locational, design, building, and electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this division.
- Q. *Logo* means an individual sign, separated from the business letters, consisting of any name, symbol, trademark, letter style, words, figures, or decorative motifs.
- R. *Monument sign* means a sign that is completely self-supporting and has its sign face or base on the ground or a maximum of twelve (12) inches above the adjacent grade or base of the sign.
- S. *Neon sign* means an illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube, which is bent to form letters, symbols or other shapes.

- T. *Outdoor advertising display, structure or sign* means a commercial sign placed for the purpose of advertising products or advertising services that are not produced, stored, or sold on the property upon which the sign is located. This shall also mean a billboard.
- U. *Pole sign* means a freestanding sign that is supported by one (1) or more poles or uprights on the ground.
- V. *Portable sign* means any sign that is not permanently attached to the ground or any structure and is capable of being moved, including but not limited to “A-frame,” “H-frame” or “sandwich board” type signs. A portable sign is not a temporary window sign as provided in section 9655.10.A.
- W. *Projecting sign* means a sign other than a wall sign suspended from or supported by a building or structure and projecting outward more than twelve (12) inches therefrom and oriented to pedestrians.
- X. *Revolving sign* means a sign that turns around or rotates, as on an axis.
- Y. *Right-of-way, public* means a public street or highway, but not including a freeway.
- Z. *Right-of-way, private* means an off-street parking area for a business or group of businesses that does not abut a public right-of-way.
- AA. *Roof sign* means a sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. Signs placed on flat surface integrated into the mansard roof design shall not be considered roof signs.
- BB. *Secondary sign* means any sign not located on a primary frontage.
- CC. *Sign* means any name, figure, painting, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device, appliance or any other thing of similar nature to attract attention outdoors or on the face, wall or window of any building, and shall include all parts, portions, units and materials composing the same, together with the frame, background, support and anchorage therefor which is visible from outside the property. For the purpose of this part, a sign is not a sign if it is inside a building, located more than three (3) feet behind a window, and not facing a window in such a way as to be viewed from an outside public area.
- DD. *Sign face* means the surface or that portion of a sign that is visible from a single point as a flat surface or a plane and considered as such together with the frame and the background.

- EE. *Single tenant building* means a building used by one (1) occupant for an individual business.
- FF. *Temporary sign* means any sign addressed in Section 9655.10 and capable of being viewed from any public right-of-way, parking area, or neighboring property. A temporary sign is any sign consisting of cloth, canvas, light fabric, cardboard, wallboard, poster board, paint or other dispensable materials, with or without frames, and mounted or painted, if on a window, in a nonpermanent manner.
- GG. *Under canopy sign* means a sign attached to or suspended from the underside of a projecting canopy protruding over a public or private sidewalk or right-of-way.
- HH. *Wall sign* means a sign attached to or erected on the exterior wall of the building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall.
- II. *Window sign* means a temporary or permanent sign painted or attached to or within three (3) feet of the inside of the window upon the premises where the sign is displayed.
- JJ. *Yard sign* means a temporary sign placed in the ground or attached to posts, or poles and is not attached to any building. A yard sign is not a portable sign as defined in section 9655.2.V.

9655.3. Prohibited signs.

Except as otherwise provided in this division, the following signs are prohibited:

- A. Outdoor advertising displays, structures or signs.
- B. Portable signs.
- C. Exposed neon, flashing, or scintillating signs.
- D. Revolving signs.
- E. Any placard, bill, card, poster, sticker, banner, flag, sign, or other device affixed or attached to or located upon any public right-of-way area including street, walkway, crosswalk, curb, lamppost, hydrant, tree, telephone booth or pole, lighting system or any fixture of the police or fire alarm system. This prohibition does not apply to required government signs.
- F. Devices projecting or otherwise producing the image of a sign, as defined in section 9655.2.CC, on any surface or object.

- G. Signs that project or encroach into any existing or future public right-of-way.
- H. Automatic changing signs or electronic message signs.
- I. Streamers, banners, balloons, flares, flags, pennants, propellers, twirlers, and similar attention-getting displays or devices except as allowed by section 9655.10 (temporary signs).
- J. Pole signs, except for on-site directional signs.
- K. Signs or sign structures which by colors, wording, or location resemble or conflict with traffic control signs or devices.
- L. Signs that create a safety hazard by obstructing the view of pedestrian or vehicular traffic.
- M. Sign structures and supports no longer in use, for a period of sixty (60) days, by the owner, tenant, or lessee.
- N. Signs painted directly on an exterior wall, fence, fascia or parapet.
- O. Signs that display an obscene message or graphic representation of nudity or sexual acts.
- P. Roof signs.
- Q. Awnings that are internally illuminated.
- R. Inflatable signs.
- S. Signs that are installed after this date that do not conform to the provisions of these sections are prohibited.

9655.4. General provisions.

- A. *Sign area.* The maximum allowable sign area shall be determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.

- B. *Sign height.* The maximum allowable sign height shall be measured by the distance from the average adjacent ground level within five (5) feet of the base of the sign to the top of the sign, including the superstructure and any design element.
- C. *Sign lighting.* No sign shall be illuminated after 11:30 p.m. or close of business, whichever occurs last.
- D. *Owner's consent required.* The consent of the property owner or person in control or possession of the property is required before any sign may be erected on any private property in the city.
- E. *Obstruction of public passage.* No signs shall be installed so as to obstruct any window, door, fire escape or other emergency exit of any building.
- F. *Maintenance of signs.* All signs shall be maintained in a neat and attractive, well-repaired condition. The display surface of all signs shall be kept clean, neatly painted and free from rust, cracking, peeling, corrosion or other states of disrepair.
- G. *Prohibited locations.* No signs shall be located in such a manner as to face in the direction of or be visible to property in a residential district when such sign would be less than two hundred (200) feet from such residential property unless such sign faces and is parallel to a public right-of-way.
- H. Any noncommercial message may be substituted for the copy of any commercial sign allowed by this Chapter. Any sign displaying a noncommercial message shall be deemed to be on-site.

9655.5. Application and review procedures for permanent signs.

- A. *Sign permit.* Permanent signs shall only be constructed, displayed or altered with sign permit approval by the director or appropriate decision-making body. Sign permits shall be prepared, filed, processed, and approved or denied in compliance with this section.
- B. *Application.* An application for a sign permit shall be made on the form provided by the department of planning and community development and shall be accompanied by the required fee. Such application shall set forth and contain the following information and materials:
 - 1. The location and size of any existing or proposed buildings or structures on the property, which are or will be under the ownership or control of the applicant.
 - 2. The location of off-street parking facilities, including major points of entry and exit for motor vehicles where directional signs are proposed.

3. The position of the proposed sign and its relationship to existing or proposed adjacent buildings and structures, which are or will be under the ownership or control of the applicant.
 4. The proposed design, size, exact colors, materials, orientation, and location of the sign or sign structure.
 5. The method of attachment to any structure.
 6. A statement showing sizes and dimensions of all other signs existing on the property under the ownership or control of the applicant.
 7. A statement showing the size and color relationships of such sign or sign structure to the appearance and design of existing or proposed buildings and structures on the property.
 8. Photographs of all sides of any building or renderings of proposed buildings.
 9. Such other information as the department of planning and community development may require to secure compliance with this part.
- C. *Review and approval authority.* A sign permit shall be approved or disapproved by the director in compliance with the criteria set forth in subsection D and the provisions of this part.
- D. *Criteria.* The following criteria shall be the only criteria used in reviewing an application for a sign permit:
1. That the sign is consistent with the provisions of this part and title;
 2. That the location and orientation of the proposed sign, as well as the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions), are legible under normal viewing conditions prevailing where the sign is to be installed;
 3. That the proposed sign is consistent with the sign standards found in sections 9655.6 and 9655.7;
 4. That the proposed sign is consistent with the adopted sign design guidelines available at the planning and community development public counter.
- E. *Findings.* If a sign permit application is denied, specific and detailed findings setting forth the reasons why the proposed sign violates the criteria set forth above or other provisions of this division shall be prepared in writing and mailed to the applicant or his agent and sign contractor within ten (10) working days.

- F. *Appeals.* Any decision made by the director or the planning commission may be appealed in accordance with the provisions of this title. The decision of the city council on any appeal shall be final.

9655.6. General sign standards for permanent signs.

- A. Sign integration requirement. All permanent signs shall be designed as an integral part of the total building design.
- B. Number of colors. All permanent signs, except as hereinafter provided, shall contain no more than three (3) different colors. Different shades shall be considered separate colors. The planning commission may consider a sign program with a multi-color sign palette utilizing a maximum of five (5) colors. For the purposes of this section, black and white shall be considered colors. Logos with registered trademarked colors are exempt from this provision.
- C. Types of material. The types of materials for sign structures shall, if possible and practicable, be compatible with materials used in the related buildings.
- D. Illumination of signs. Unless otherwise prohibited by this part, signs may be illuminated subject to the approval of the director to ensure that such illumination does not create any public safety hazards. The approval of any illuminated sign shall not be final until thirty (30) days after installation during which period the director may order the dimming of any illumination found to be excessively brilliant, and no sign approval shall be valid until such order has been carried out to the satisfaction of the director. Illumination shall be considered excessive when it prevents perception of objects or buildings beyond or in the vicinity of the sign. In no case shall an illuminated sign or lighting device be placed or directed as to permit the beams and/or illumination therefrom to be directed or beamed upon a public street, walkway, or adjacent properties so as to cause glare or reflection that may constitute a traffic or safety hazard.
- E. Screening. To minimize the visual mass and projection of the sign, all electrical transformer boxes and raceways shall be concealed from public view. If a raceway cannot be mounted internally behind the finished exterior wall, the exposed metal surfaces of the raceway shall be finished to match the background wall, or integrated into the overall design of the sign. All exposed conduit shall also be concealed from public view.

9655.7. Standards for specific types of permanent signs.

The following standards are in addition to the standards set forth in Section 9655.6 above.

A. Wall signs.

1. Location. The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail.
2. Maximum area and height. The maximum area and height shall be as defined in Section 9655.8, permanent sign entitlement by land use. In no case shall the sign project above the edge of the roof of a structure.
3. Projection from wall. The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve (12) inches.

B. Monument signs.

1. Location. The sign shall be located a minimum of five (5) feet from any public or private right-of-way and shall comply with city standards for vehicular sight distance at the driveway intersection with the frontage street.
2. Maximum area. The sign shall be a maximum of forty-eight (48) square feet in area. Only one (1) side of a double-faced (back to back) sign shall be included when calculating sign area. Sign area calculations shall not include architectural treatments or support structures.
3. Maximum height. The maximum height of a monument sign shall be six (6) feet. Architectural treatments or support structures shall be included in the height measurement.
4. Materials and lighting. The use of plastic material as a background is not permitted. The sign background material shall be opaque, which means that any interior light source shall not penetrate the material and illuminate the background but shall be limited to illuminating the sign letters.
5. Landscape requirements. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. The director may reduce or waive this requirement if it is determined that the additional landscaping would contribute significantly to the overall aesthetic character of the project.

C. Awning and canopy signs. Signs on awnings and canopy signs may be allowed only as an integral part of the awning or canopy to which they are attached or applied, as follows.

1. Location. Signs may be placed only on awnings that are located on first story building frontages, including those fronting a parking lot or pedestrian way.

2. Maximum area. The sign area devoted to awning and canopy signs shall be included in calculation of the maximum allowable wall sign area pursuant to section 9655.8.B.1.
3. Overhead clearance. No structural element of an awning or canopy shall be located lower than eight (8) feet above finished grade.
4. Sign text or logo area shall not occupy more than thirty (30) percent of the awning panel.
5. Lighting. Awnings shall not be internally illuminated. Lighting directed downwards that does not illuminate the awning is allowed.
6. Required maintenance. Awning and canopy signs shall be regularly cleaned and kept free of dust and visible defects.

D. Under canopy signs.

1. Location. The sign shall be placed or hung only on a ground floor facade, near the main entrance of each leasable tenant space.
2. Overhead clearance. The lowest point of an under canopy sign shall be no lower than eight (8) feet above finished grade.
3. Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

E. Projecting signs.

1. Maximum area. The sign area devoted to projecting signs shall be included the calculation of the maximum allowable wall sign area pursuant to section 9655.8.B.1. Size uniformity should be maintained along street frontages to the greatest extent possible. The text, copy and logo should not exceed seventy-five (75) percent of the sign background.
2. Overhead clearance. The lowest point of a projecting sign shall not be lower than eight (8) feet above the ground level.
3. Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

- F. Window signs. Window signs that are permanent and either painted on or affixed to the window, and which are visible from the public right-of-way or public areas, shall be allowed in addition to the total authorized sign area pursuant to section 9655.8.B.1. The cumulative sign area of this type of window sign shall not exceed five (5) square feet of the total window area. The total window area shall include the aggregate square footage of the vertical glass areas in the windows and entry doors in each individual storefront or tenant space. Exposed neon illumination, exposed fluorescent illumination and scintillating, flashing, animating or revolving signs are prohibited. Window signs are not subject to a sign permit.
- G. Directional signs. All directional signs shall be located a minimum of ten (10) feet from the street property line and shall not exceed three (3) feet in height and three (3) square feet in area.

9655.8. Permanent sign entitlement by land use.

A. Residential land use districts.

- 1. Multi-family developments. One (1) monument sign, maximum forty-eight (48) square feet and six (6) feet in height, may be erected on each public street frontage upon which the complex has public access. In addition, interior signs which are visible from any public right-of-way, may be approved by the director provided that such signs do not exceed six (6) square feet in area and four (4) feet in height. Interior signs not visible from any public right-of-way shall not be subject to the requirements of this paragraph.

B. Commercial, business park and planned development land use districts.

- 1. Walls signs for business park, office and retail uses. Each business park tenant, office tenant, or retail tenant shall be limited to one (1) wall sign per primary frontage integrated into the design of the building. Except as otherwise provided by this part, the following sign area limitations shall also apply:
 - a. *Buildings located within one hundred (100) feet of public right-of-way:*
 - i. Office buildings shall be limited to one (1) business sign.
 - ii. The maximum allowable sign area for each tenant located within one hundred (100) feet of any public or private right-of-way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the maximum sign area exceed fifty (50) square feet.
 - iii. For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty-five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The sign shall be generally centered over the storefront or tenant space.

- b. *Buildings located more than one hundred (100) feet from public right-of-way:*
 - i. Office buildings shall be limited to one (1) business sign.
 - ii. The maximum allowable sign area for each tenant located more than one hundred (100) feet from any public or private right-of-way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign area exceed seventy (70) square feet.
 - iii. For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty-five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The sign shall be generally centered over the storefront or tenant space.
- c. *Major tenants in shopping centers.* The maximum allowable wall sign area for a major tenants in shopping centers, which have a frontage greater than one hundred (100) feet, shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign exceed two hundred (200) square feet.
- d. *Businesses located on second floor.* Businesses maintained exclusively on the second floor of a two (2) story commercial center building may be allowed one (1) wall sign, provided that the square footage of the wall sign not exceed one-quarter of the tenant frontage, or a maximum of ten (10) square feet, whichever is greater.
- e. *Frontage on two (2) or more streets.* A business located in a commercial or business park building having frontage on more than one (1) public right-of-way may use the applicable maximum allowable wall sign area in Section 9655.8.B.1 on one (1) frontage and one-half of the allowance on the second public frontage. Said allowance shall only be utilized on the frontage on which the allowance is based. For purposes, of this paragraph, frontage shall include any public entrance to the premises upon which the subject business is located from a public right-of-way even though the subject business does not actually front such right-of-way. In addition, a business with a public entrance on a secondary frontage on a private right-of-way may have a sign located on such frontage which does not exceed ten (10) square feet.

- f. *Freeway facing signage.* Subject to approval of a sign program, all buildings in commercial, business park, or planned development land use districts, which either directly back or side upon Highway 101, may be permitted a total of one (1) secondary sign, which shall not exceed twenty-five (25) square feet in sign area. The secondary sign may be increased up to fifty (50) square feet in lieu of a primary sign. A maximum of one (1) secondary sign shall be allowed for a tenant occupying multiple buildings in a business park or commercial complex. This provision does not apply to those buildings or uses, which are separated by a public frontage road from the freeway.
2. In addition to the wall sign allowances in section 9655.8.B. 1, monument signs are allowed as follows:
 - a. *Commercial and business complex, center or park with common name.* Any commercial and business complex, center or park that has a common name is permitted one (1) monument sign.
 - b. *Commercial and business complex, center or park larger than two (2) acres with frontage on two (2) or more streets.* Any commercial and business complex, center or park that has a common name and is in excess of two (2) acres in area, is permitted one (1) monument sign for each public street frontage.
 - c. *Single tenant building or office building.* For a single business totally occupying a building, which is not part of a larger complex, project, center or park, one freestanding monument sign is permitted.
3. In addition to the wall sign allowances in section 9655.8.B.1, the following signs on awnings, projecting signs, under canopy signs, on-site directional signs, off-site directional signs, and permanent window signs are allowed:
 - a. *Signs on awnings.* Painted, non-illuminated signs may be permitted on the borders of marquees, canopies, awnings, arcades, or similar structures or attachments. Such signs shall be counted toward the maximum wall sign area allowance pursuant to Section 9655.8.B.1.
 - b. *Projecting signs and under canopy signs.* One (1) projecting sign or under canopy sign shall be permitted. Such signs shall be counted towards the maximum wall sign area allowance pursuant to Section 9655.8.B.1.
 - c. *On-site directional signs.* On-site directional signs shall be limited in number to four (4) signs per frontage for any property that has more than one (1) frontage. The maximum area for such signs shall be three (3) square feet, and such signs shall not exceed three (3) feet in height.

- d. *Off-site directional signs.* Where the primary vehicular access for a property is located on an adjacent property and the point of access is not readily evident due to the configuration of the lot or topographical issues, one directional sign may be allowed on the adjacent property to identify access to the property. The maximum area of the sign shall be three (3) square feet and such signs shall not exceed (3) three feet in height.
- e. *Permanent window signs.* Window signs are allowed pursuant to Section 9655.7.F as permanent signs. Window signs are not subject to a sign permit.

C. Additional sign entitlement for specific uses. The following signs are permitted, with a sign permit, unless otherwise specifically prohibited:

- 1. Gasoline service stations. In addition to the signs allowed in Section 9655.8.B, gasoline service stations are allowed the following, in accordance with State law:
 - a. One (1) changeable copy sign per street frontage, placed on the ground, not to exceed twenty (20) square feet in area and six (6) feet in height. Such sign shall comply with Business & Professions Code Section 13530 et seq.
 - b. One (1) accessory wall sign not to exceed fifteen (15) square feet in area or one (1) accessory monument sign not to exceed fifteen (15) square feet in area and six (six) feet in height.
 - c. One (1) additional accessory wall sign not to exceed ten (10) square feet in area.
 - d. Sign at fuel dispensing pump. A maximum of one (1) sign shall be allowed on or above the actual fuel pumps not to exceed two (2) square feet in area.
- 2. Signs at a drive thru lane or window. Where there is such a facility, in addition to the signs allowed in Section 9655.B, two (2) changeable copy signs with a maximum area of thirty (30) square feet each, a maximum height of seven (7) feet, and oriented internally are permitted.

9655.9. Sign program.

- A. *Purpose.* A sign program is intended to (1) integrate the design of the signs proposed for a development project with the design of the structures, into a unified architectural statement; and (2) provide a means for defining common sign regulations for multi-tenant projects and other users of multiple signs, in order to encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of this chapter. For the purposes of this provision, a development project is a project involving the construction or remodeling of improvements on privately-owned property.

- B. *Applicability.* The approval of a sign program shall be required under the following circumstances, or whenever an applicant applying for a land use entitlement requests the approval of a sign program:
1. New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities.
 2. New multi-family developments whenever five (5) or more signs are proposed.
 3. Whenever five (5) or more permanent signs are proposed for a new or existing development in the business park, commercial, or planned development zones;
 4. When an existing shopping center requests an increase in the size, height, location and number of a monument sign pursuant to subsection 9655.12.C.
 5. The director determines that a sign program is needed to ensure compliance with the provisions of this chapter.
- C. *Review and approval authority.* The planning commission may approve a sign program through the granting of a sign permit for a sign program.
- D. *Application requirements.* A sign permit application for a sign program shall include all information and materials listed in section 9655.5 and the filing fee set by the city's fee resolution.
- E. *Standards.* A sign program shall comply with the criteria established in subsection 9655.5.D. and the following standards:
1. The program shall comply with the purpose of this chapter and the overall intent of this section;
 2. The program shall accommodate future revisions that may be required because of changes in use or tenants; and
 3. The program shall comply with the standards of this chapter, except that a variance or modification is allowed with regard to sign area, number, location, or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the purposes of this division.
- F. *Revisions to sign programs.* Revisions to a sign program determined to be minor in nature may be approved by the director with a standard sign permit if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new comprehensive sign program approved by the planning commission.

9655.10. Temporary signs.

- A. *Temporary window signs.* Temporary non-illuminated window signs are allowed in the commercial, business park, and planned development zones and are allowed in addition to the total authorized sign area but shall not exceed twenty-five (25) percent of the total window area; shall not exceed one (1) sign per window panel; and shall not exceed fifty (50) percent of any individual window panel. The total window area shall include the square footage of the aggregate vertical glass areas of windows and entry doors in each individual storefront or tenant space that are parallel to the primary street frontage serving the property. If more than one (1) street frontage serves the property, for purposes of displaying temporary window signs the primary street frontage may be determined by the business owner. Said signs may be displayed on any window; shall be measured as defined for sign area in this article; and shall be compatible in terms of colors with the permanent signs, except fluorescent colors shall be prohibited. A sign permit is not required for these signs.
- B. *Yard signs.*
1. Residential and Open Space Zones. A maximum of two (2) yard signs per lot not exceeding six (6) square feet in area and six (6) feet in height for each sign are allowed in the residential and open space restricted zones for a period not exceeding 120 days in twelve (12) consecutive months. A sign permit is not required for these signs.
 2. Commercial, Business Park, and Planned Development Zones, with the approval of a sign permit. During the time that valid building permits exist for new construction or remodel, up to two (2) temporary yard signs, one not exceeding thirty-two (32) square feet in area and another not exceeding twenty-five (25) square feet, are permitted on the lot per street frontage. Such signs shall not exceed six (6) feet in height and removed before notice of completion is issued for the building(s) being constructed.
- C. *Charitable or Community Events.* For a maximum 30-day period prior to a charitable or community event occurring within the boundaries of the city, and for three (3) days after such an event, one (1) temporary sign or banner may be displayed on a parcel along each street frontage per parcel in only commercial, business park, and planned development land use districts for a maximum of thirty-three (33) days per event. Such signs shall not exceed thirty (30) square feet in size, ten (10) feet in length, and six (6) feet in height. Such signs are in addition to all other signage allowed in this chapter. Such signs shall not be illuminated or posted on trees, fence posts or public utility poles, or located within any public right-of-way. A sign permit is not required for these signs or banners.

D. *New Tenancies.*

1. During a period of ninety (90) consecutive days from issuance of the sign permit, the director may approve one banner not exceeding twenty (20) square feet in area for any pending or recent occupancies of new tenant spaces on a parcel in which the tenancy is located in the commercial, business park, and planned development land use districts. Such signs may consist of one (1) banner on the exterior wall of the building within which the subject tenancy is located. The content of the banner may be changed during the 90-day period.
2. In addition, during the first four (4) days of a grand opening event, captive balloons, without regard to number, may be permitted provided that such balloons do not extend beyond the lowest point of the roofline of the business, obstruct other business in the vicinity, or interfere with pedestrian vehicle traffic.
3. These restrictions shall not in any way prohibit any person from handing out or giving away balloons as part of the normal activities of a business as long as such balloons are not in a captive state attached to a structure.

E. *Commercial and industrial real estate marketing period.*

1. Temporary on-site signs are allowed on properties in the commercial, business park, and planned development land use districts during the period of time when such properties are for sale, lease or rent on that parcel, if the property owner obtains a sign permit pursuant to the following requirements:
 - a. One (1) sign per parcel; or
 - b. One (1) sign per street frontage.
2. Such signs shall not exceed three (3) feet by three (3) feet, or a total of nine (9) square feet in area and four (4) feet in height if attached to the ground by a pole(s) or other support structure. All ground mounted signs shall be displayed on a permanent sign structure designed consistent with the design of the center or building on which the sign is placed. Wall or window signs shall not exceed two (2) feet by two (2) feet, or a total of four (4) square feet in area. Each sign shall be designed and located in a manner satisfactory to the director. No sign shall be illuminated and no banners are allowed. No other temporary yard signs shall be allowed beyond those allowed by this provision.

- F. *Election Periods.* During the period from forty-five (45) days before and seven (7) days after a local, state, or national election, additional temporary signs, not exceeding six (6) square feet in sign area and six (6) feet in height, are allowed on private property in all zones. A sign permit shall not be required for a temporary sign during this period.

9655.11. Exempt signs

The following are exempt from the requirement of this section.

- A. *Government signs.* Government signs include traffic, fire, and police related signs, temporary traffic control signs used during construction, utility facilities and substructure location and identification signs and markers required to protect said facilities, and other signs and markers required by the City of Agoura Hills, the state department of transportation, or any other public agency.
- B. *Flags.* Flags that meet the following criteria are exempt from the requirements of this Section:
1. A maximum vertical dimension of five (5) feet;
 2. A maximum horizontal dimension of eight (8) feet;
 3. A maximum cumulative square footage of a flags on a parcel of forty (40) feet (one (1) side);
 4. A maximum of one (1) flag pole per developed site; and
 5. A maximum height of thirty-five (35) feet in the commercial, business park, and planned development zones and a maximum height of twenty-five (25) feet in the residential and open space-restricted zones. Flag poles are subject to the issuance of a building permit.
- C. *Required signs.* Official notices required to be posted by law, court, or other government agency.

9655.12. Administration and enforcement.

- A. *Duty to enforce.* The director shall have the duty to enforce the provisions of this part.
- B. *Modifications to sign standards.* Pursuant to division 6 (section 9676 through 9676.7), the planning commission may approve minor modifications to the regulations relating to the size, height, number, and location of new or existing signs after a public hearing in those cases where an applicant is faced with exceptional circumstances related to the type or location of its business, or is trying to achieve a special design effect. The applicant shall have the burden of proving that:
1. The sign is or will not be detrimental to surrounding uses or properties or the community in general; and

2. The approval of such modification is consistent with the purposes of the general plan and this part, the sign criteria set forth in subsection 9655.5.D and the adopted sign design guidelines.

Notwithstanding the foregoing, the size or height entitlement of a sign shall not be increased by more than thirty (30) percent.

C. *Special consideration for additional signs with landscape maintenance agreement.* To avoid conflicts between the visibility of signs in existing shopping centers and the city's parking lot shade coverage requirements, the planning commission may approve a modification to an existing sign program or a new sign program for an existing retail center or complex to allow modifications to the size, height, number, and location of monument signs if the property owner enters into a landscape maintenance agreement with the city. The landscape maintenance agreement shall among other items, include a provision to ensure that proper tree trimming methods are utilized. All proposed signage shall meet the following criteria:

1. The sign shall not be detrimental to surrounding uses or properties or the community in general; and
2. The approval of such modification shall be consistent with the purposes of the general plan and this part, the sign criteria set forth in subsection 9655.5.D and the adopted sign guidelines.

D. *Removal of unsafe signs.* Any sign that presents an immediate danger to the public health or safety may be removed by the city without prior notice. Alternatively, the director may issue a notice of violation and give the permit holder, property owner, or person in possession and control of the property forty-eight (48) hours to cure the violation. In the case of an unsafe sign removed by the city, the costs of such removal and storage shall be borne by the permit holder, property owner, or person in possession and control of the property, as applicable and may be collected by the city in the same manner as it collects any other debt or obligation. No unsafe sign, which has been removed and stored by the city, shall be released until the costs of removal and storage have been paid. If an unsafe sign remains unclaimed for a period of thirty (30) days after notice of removal is sent to the permit holder, property owners, or person in possession and control of the property, it shall be deemed to be unclaimed personal property and disposed of in accordance with the law.

- E. *Removal of illegal signs on public property.* The director shall remove or cause to be removed any sign unlawfully placed or located on public property or in a public right-of-way. The director shall notify the owner of such sign, if such owner is known, that its sign is being held at city hall and that it will be destroyed if not claimed by the owner within ten (10) days after the date of such notice. In the event that the owner does not claim such sign within said ten-day period, the director may destroy or otherwise dispose of such sign.
- F. *Violations.* Violation of this chapter is a misdemeanor unless otherwise charged by the prosecuting attorney as an infraction and shall be punishable as provided in section 1200(b) of the Agoura Hills Municipal Code.

9655.13. Nonconforming signs.

This section recognizes that the eventual elimination of existing signs that are not in conformity with the provisions of this chapter is as important as the prohibition of new signs that would violate these regulations.

- A. *Continuation of nonconforming sign.* A legally established sign that does not conform to the provisions of this chapter may continue to be used, except that the sign shall not be:
 - 1. Structurally altered to extend its useful life;
 - 2. Expanded, moved, or relocated;
 - 3. Re-established after a business has been discontinued for sixty (60) days or more; or
 - 4. Re-established after damage or destruction of more than fifty (50) percent of the sign value, as determined by the director.
- B. *Sign copy changes.* The sign copy and sign faces of a nonconforming sign may be changed upon obtaining a sign permit provided that the change does not include a structural change in the display.
- C. *Correction of nonconformities required.* Approval of any structures on a site or a change in the land use on a site shall require that all nonconforming signs on the site be brought into conformity with this chapter.
- D. Within sixty (60) days after a tenant vacancy in any commercial or industrial zone, all signs and support structures related to the prior tenant shall be removed.

9655.14. Appeal of approval or denial of sign permit.

- A. Any person seeking to appeal any decision of the director or planning commission must file a written notice of appeal with the city clerk and pay the applicable appeal fee established by city council resolution no later than fifteen (15) days after the date of the notice of the decision. The appeal notice shall state, with specificity, the factual and legal basis of the appeal. The city clerk shall expeditiously schedule a hearing before the city council and notify the appellant, in writing, of the day, time and location of the hearing, which shall be held not later than thirty (30) days after the notice of appeal is received by the city; provided, however, the hearing may be held after such thirty-day period upon the request or concurrence of the appellant. The time for compliance of any original order shall be stayed during the pendency of the hearing before the city council.

- B. The city council or planning commission shall provide the appellant with a written decision within ten (10) working days of the conclusion of the hearing. In the event any such sign approval, denial or revocation, or remediation or removal order is upheld by the city council, the approval, denial, revocation or order shall be effective on the date of the action by the city council, and that action shall be final and conclusive.”

Section 4. If any section, subsection, sentence, clause, portion, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, portions, or phrases of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, portion, or phrase without regard to whether any other section, subsection, sentence, clause, portion, or phrase of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 5. The City Clerk shall certify the adoption of this Ordinance and cause its publication in accordance with applicable law.

PASSED, APPROVED, AND ADOPTED this ____ day of _____
2019, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

Linda L. Northrup, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk, MMC

APPROVED AS TO FORM:

Candice K. Lee, City Attorney

FOR REFERENCE ONLY

EXHIBIT D

DRAFT
CNSO PROPOSED REVISIONS TO TEXT

DIVISION 5. SIGN REGULATIONS

9655. Intent.

The purpose and intent of these regulations is to establish uniform sign regulations to:

- A. Preserve and enhance the unique character and visual appearance of the city;
- B. Assure proper expression through visual communications involving signs that are compatible with the character and environment of the community;
- C. Enhance the visual quality of the city's scenic highways;
- D. Promote fairness in competition and retain identity in the business community while recognizing the importance of well designed business signs;
- E. Recognize the integral part played by signs in the overall appearance of the city;
- F. Reduce possible traffic and safety hazards by prohibiting signs that are distracting to motorists;
- G. Recognize the function and importance of signs for businesses and the benefit of well designed business signs to the community as a whole;
- H. Provide guidance and direction for sign users and sign designers as to what constitutes appropriate signs in the city;
- ~~I. Establish standards that will encourage business signs to be used for the purpose of business identification.~~
- J. Implement the goals of the city's general plan, with particular regard to developing a city that is visually attractive and to preserving and enhancing the visual quality of the community's streets and highways; and
- ~~K.~~ J. Safeguard the life, health, property, and public welfare by regulating and controlling the design, quality of materials and construction, illumination, location and maintenance of all signs in a content neutral manner, while providing functional flexibility and ~~create~~ creating an incentive to promote good design ~~while trying to eliminate visual blight.~~

FOR REFERENCE ONLY

~~L. Support and promote viable businesses by allowing signage that provides adequate identification and enhancing the quality of the visual environment of the city.~~

~~(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 06-340, § 1, 12-13-2006)~~

9655.1. Applicability.

No person shall place, erect, modify, alter ~~(including changing content)~~ or repaint, or permit the placement, erection, modification, alteration or repainting of any sign, unless otherwise specifically exempted by this part, without first obtaining a sign permit in accordance with the provisions of this division. All signs shall be erected and maintained in conformity with this division. The standards regarding number and size of signs regulated by this division are maximum standards unless otherwise stated.

~~(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 06-340, § 1, 12-13-2006)~~

9655.2. Definitions.

Notwithstanding the provisions of section 9120 et seq. of this article, for the purposes of this part, the following words and phrases are defined as follows:

~~A. *Address sign* means the numeric reference of a structure or use to a street included as part of a wall or monument sign.~~

~~BA. *Area, sign* means the area in square feet determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.~~

~~CB. *Awning sign* means any sign or graphic attached to, painted on or applied to an awning or awning canopy.~~

~~DC. *Banner* means a strip of cloth, thin plastic or other flexible material on which a sign is painted, printed, or otherwise displayed.~~

~~E. *Business sign* means a sign that displays a business name or otherwise directs attention to a business or profession, or to goods, services, or entertainment offered or produced by the business located on the same property as the business sign.~~

FOR REFERENCE ONLY

- D. Changeable copy sign means a sign or portion of a sign where it is possible to change the copy on a frequent basis.
- ~~F.~~ ~~Commercial or business park complex~~ means a group of two (2) or more ~~businesses tenants~~ which are situated as an integral unit on a single parcel of land or separate parcels of land and which businesses utilize common off street parking or access.
- ~~G.~~ ~~Construction sign~~ means a temporary sign stating the names of those individuals or firms directly connected with the construction or development project, their addresses and their telephone numbers.
- E. Directional sign means ~~an on-site~~ a sign located on private property the sole purpose of which is to direct the flow of pedestrian and vehicle traffic, transmit parking information or convey similar such information.
- ~~G.~~ Director means the director of planning and community development or such director's designee.
- ~~J.~~ ~~Directory sign~~ means a freestanding sign containing the name of the commercial or business park complex on which the sign is located and the names of the separate businesses also located within that complex.
- ~~K.~~ Externally lighted sign means a sign whose immediate source of illumination is not enclosed by the surface of the sign structure.
- L. Flag. A piece of fabric, usually rectangular in shape, that is usually displayed hanging free from a staff or pole, to which it is attached by edge so that it will float, play, or shake in an air current.
- ~~M.~~ Frontage, building means the exterior building wall facing or oriented towards a public or private right-of-way. The amount of frontage shall be measured continuously along such building wall for the entire length of the subject business or use.
- ~~N.~~ Frontage, primary means the frontage, which provides the subject building with its main or principal orientation to a public or private right-of-way, whether or not such frontage has a public entrance to the building. In shopping centers or multiple tenant buildings, the primary frontage shall be established as part of a sign program.
- ~~O.~~ Frontage, secondary means any frontage, other than the primary frontage, that has a public entrance to the subject building.
- ~~P.~~ Halo illumination means a form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo.

FOR REFERENCE ONLY

- ~~Q.~~ ~~*Identification sign*~~ means a monument sign limited to the identifying name, symbol or insignia, or any combination thereof, of a building, use or persons occupying the premises on which the sign is located.
- RN. *Inflatable sign.* An object made of an airtight material, generally greater than eighteen (18) inches in diameter at its widest point, filled with air or gas to form a three (3) dimensional shape and used as a sign.
- ~~S.~~ ~~*Informational sign*~~ means a sign or part of a sign stating ancillary information business information the hours of operation of a business, emergency telephone numbers, credit card usage, or other information of a similar nature.
- TO. *Internally lighted* means illumination produced by a light source contained within a sign and not directly visible from outside.
- UP. *Legal nonconforming sign* means a sign that was originally erected or installed in compliance with all structural, locational, design, building, and electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this division.
- VQ. *Logo* means an individual sign, separated from the business letters, consisting of any name, symbol, trademark, letter style, words, figures, or decorative motifs.
- WR. *Monument sign* means a sign that is completely self-supporting, and has its sign face or base on the ground or a maximum of twelve (12) inches above the adjacent grade or base of the sign.
- XS. *Neon sign* means an illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube, which is bent to form letters, symbols or other shapes.
- ~~Y.~~ ~~*Noncommercial sign*~~ means a sign with noncommercial copy intended to display religious, charitable, cultural, governmental, informational, political, educational, or artistic messages.
- ~~Z.~~ ~~*Noncommercial copy*~~ means a message that pertains primarily to matters other than commercial products, services or activities.
- AAT. *Outdoor advertising display, structure or sign* means a commercial sign placed for the purpose of advertising products or advertising services that are not produced, stored, or sold on the property upon which the sign is located. This shall also mean a billboard.
- BBU. *Pole sign* means a freestanding sign that is supported by one (1) or more poles or uprights on the ground.

FOR REFERENCE ONLY

- ~~CCW.~~ *Price sign* means a sign limited to the name or identification of items, products or services offered for sale on the premises and the price of the items or products at gasoline service stations.
- ~~DDV.~~ *Portable or movable sign* means any commercial sign which that is not permanently attached to the ground or structure and is intended to be movable or capable of being moved, whether or not on wheels or other special supports, including but not limited to "A frame," "H-frame" or "sandwich board" type signs. Portable or movable signs also include placards, signs, banners, or similar devices attached to vehicles for advertising purposes unless such devices are an integral part of such vehicle used in the normal course of business. Portable or movable signs also include signs that are carried or worn by a person, including but not limited to sandwich boards, are not attached to a sign structure or any other structure, and are not affixed to or resting on the ground. "For Sale" signs in vehicle window shall not be classified as a portable sign. A portable sign is not a temporary window sign as provided in section 9655.10.A.
- ~~EEW.~~ *Projecting sign* means a sign other than a wall sign suspended from or supported by a building or structure and projecting outward more than twelve (12) inches therefrom and oriented to pedestrians.
- ~~FF.~~ *Real estate sign* means a temporary sign advertising the sale, lease, or rental of the property upon which it is located, and the identification of the person or firm handling such sale, lease or rental.
- ~~GGX.~~ *Revolving sign* means a sign that turns around or rotates, as on an axis.
- ~~HHY.~~ *Right-of-way, public* means a public street or highway, but not including a freeway.
- ~~HZ.~~ *Right-of-way, private* means an off-street parking area for a business or group of businesses that does not abut a public right-of-way.
- ~~JJAA.~~ *Roof sign* means a sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. Signs placed on flat surface integrated into the mansard roof design shall not be considered roof signs.
- ~~KKBB.~~ *Secondary sign* means any sign not located on a primary frontage.
- ~~LLCC.~~ *Sign* means any thing of visual appearance primarily used for, or having the effect of, attracting attention from streets, sidewalks or other outside public areas for identification purposes name, figure, painting, character, outline, spectacle, display, delineation, announcement, advertising, billboard, signboard, device,

FOR REFERENCE ONLY

~~appliance or any other thing of similar nature to attract attention outdoors or on the face, wall or window of any building, and shall include all parts, portions, units and materials composing the same, together with the frame, background, support and anchorage therefor which is visible from outside the property. A sign shall not mean displays of merchandise, products for sale on the premises, ornamentation, design, recreational equipment, statuary, architecture, landscaping pictures, paintings and other such art forms unless the display, because of the location, size, use or nature thereof, has the substantial effect of attracting attention for identification purposes when viewed from an outside public area. "Sign" shall include a neon sign at any location inside a building if such sign can be viewed from an outside public area. For the purpose of this part, a sign is not a sign if it is inside a building, more than three (3) feet behind a window and not facing a window in such a way as to be viewed from an outside public area.~~

MMDD. *Sign face* means the surface or that portion of a sign that is visible from a single point as a flat surface or a plane and considered as such together with the frame and the background.

NNEE. *Single tenant building* means a building used by one (1) occupant for an individual business.

~~OOFF~~. *Temporary sign* means any sign addressed in section 9655.10 intended to be displayed for a for a limited period of time and capable of being viewed from any public right-of-way, parking area or neighboring property. A temporary sign is any sign constructed consisting of cloth, canvas, light fabric, cardboard, wallboard, poster board or other light dispensable materials, with or without frames, and mounted or painted, if on a window, in a nonpermanent manner.

PPGG. *Under canopy sign* means a sign attached to or suspended from the underside of a projecting canopy protruding over a public or private sidewalk or right-of-way.

~~QQ~~. ~~*Vehicle-related portable freestanding sign* means a portable commercial sign affixed to a vehicle or on a trailer attached to a vehicle for the purpose of advertising products or advertising services that are not produced, stored, or sold on the property upon which the sign is located~~

RRHH. *Wall sign* means a sign attached to or erected on the exterior wall of the building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall.

SSII. *Window sign* means a temporary or permanent sign directing attention to the principal business, profession or industry painted or attached to or within three (3) feet of the inside of the window upon the premises where the sign is displayed, or to the type of products sold, manufactured or assembled, or to services or entertainment offered on said premises.

FOR REFERENCE ONLY

JJ. Yard sign means a temporary sign placed in the ground or attached to posts, or poles and is not attached to any building. A yard sign is not a portable sign as defined in section 9655.2.V.

9655.3. Prohibited signs.

Except as otherwise provided in this division, the following signs are prohibited:

A. Outdoor advertising displays, structures or signs.

B. Portable signs.

C. Exposed neon, flashing, or scintillating signs, ~~except for public service time and temperature signs, which shall not be flashing, animated or revolving in nature.~~

D. Revolving signs.

E. ~~Devices dispensing bubbles and free floating particles of matter.~~

~~FE.~~ Any notice, placard, bill, card, poster, sticker, banner, sign, advertising or other device affixed or attached to or located upon any public right-of-way area including street, walkway, crosswalk, other right-of-way, curb, lamppost, hydrant, tree, telephone booth or pole, lighting system or any fixture of the police or fire alarm system except for government signs. This prohibition does not apply to required government signs.

~~GF.~~ Devices projecting or otherwise producing the image of ~~an advertising a sign, as defined in section 9655.2.CC,~~ or message on any surface or object.

~~HG.~~ Signs that project or encroach into any existing or future street public right-of-way.

~~IH.~~ Automatic changing signs or electronic message ~~centersigns, except for public service time and temperature signs.~~

~~JL.~~ Streamers, banners, balloons, flares, flags, pennants, propellers, twirlers, and similar attention-getting displays or devices except as allowed by ~~section 9655.4 (general entitlements) or section 9655.10 (special purpose signs). section 9655.10 temporary signs).~~

~~KJ.~~ Pole signs, except for on-site directional signs.

~~L.~~ A ~~vehicle-related portable freestanding sign or any sign placed within, affixed or attached to any vehicle or trailer on a public right-of-way, or on public or private property, for the purpose of advertising products, services or an events or attracting people to a place of business, unless the vehicles or trailer is used in its normal~~

FOR REFERENCE ONLY

~~business capacity and not for the primary purpose of advertising an event or attracting people to a place of business.~~

~~MK. Signs or sign structures which by colors, wording or location resemble or conflict with traffic control signs or devices.~~

~~NL. Signs that create a safety hazard by obstructing the view of pedestrian or vehicular traffic.~~

~~OM. Sign structures and supports no longer in use, for a period of sixty (60) days, by the owner, tenant, or lessee.~~

~~PN. Signs painted directly on an exterior wall, fence, fascia or parapet.~~

~~QO. Signs that display an obscene message or graphic representation of nudity or sexual acts.~~

~~R. Signs for the purpose of commercial advertising created by the arrangement of vegetation, rocks, or other objects such as on a hillside visible to pedestrians or motorists.~~

~~SP. Roof signs.~~

~~ƧQ. Awnings that are internally illuminated.~~

~~UR. Inflatable signs.~~

~~VS. Signs that are enacted installed after this date that do not conform to the provisions of these sections are prohibited.~~

~~(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 06-340, § 1, 12-13-2006)~~

~~**9655.4. General entitlements.**~~

~~The following non-illuminated signs, except as otherwise provided herein, do not require a sign permit in the applicable land use districts. Such signs shall be located in a manner that does not create a traffic hazard or a hazardous condition for persons using a public right-of-way, as determined by the city engineer.~~

~~A. *Government signs.* Traffic, fire, and police related signs, temporary traffic control signs used during construction, utility facilities and substructure location and identification signs and markers required to protect said facilities, and other signs and markers required by the City of Agoura Hills, the state department of transportation, or any other public agency. Signs for historical locations, interpretive signs, or city sponsored community events.~~

FOR REFERENCE ONLY

~~B. *Noncommercial flags.* Flags bearing only noncommercial copy that meet the following criteria:~~

- ~~1. A maximum vertical dimension of five (5) feet;~~
- ~~2. A maximum horizontal dimension of eight (8) feet;~~
- ~~3. A maximum cumulative square footage of all flags on a parcel of forty (40) feet (one (1) side);~~
- ~~4. A maximum of one (1) flag pole per site; and~~
- ~~5. A maximum height of thirty-five (35) feet. Flag poles are subject to the issuance of a building permit.~~

~~C. *Required signs.* Official notices required to be posted by law, court, or other government agency.~~

~~D. *Informational signs.* Signs within window areas that indicate addresses, hours and day of operation; whether a business is open or closed, credit card information and emergency address and telephone numbers. Such signs shall be located on the inside of the window and shall not require a sign permit, and shall not be used for the name of the business in excess of twenty-five (25) percent of said sign. "Open" and "closed" signs may be illuminated by light emitting diode (LED) or incandescent methods. Exposed neon illumination, exposed fluorescent illumination and scintillating, flashing, animating or revolving "open" and "closed" signs are prohibited.~~

~~E. *Temporary window signs.* Temporary non-illuminated window signs advertising intermittent sales events or product promotions on the premises. Such signs shall be in addition to the total authorized sign area but shall not exceed twenty-five (25) percent of the total window area; shall not exceed one (1) sign per window panel; and shall not exceed fifty (50) percent of any individual window panel. The total window area shall include only the windows in each individual storefront or tenant space that are parallel to the primary street frontage serving the property. If more than one (1) street frontage serves the property, for purposes of displaying temporary window signs the primary street frontage may be determined by the business owner. Said signs may be displayed on any window; shall be measured as defined for sign area in this article; and shall be compatible in terms of colors with the permanent signs, except fluorescent colors shall be prohibited.~~

~~F. *Business associate signs.* In addition to the basic sign entitlement, each separate business shall be allowed, without a sign permit, lettering on or behind windows facing the public view indicating the owners, operators, or business associates~~

FOR REFERENCE ONLY

exercising the use, provided that such lettering shall be enclosed within a single area and shall not exceed a total of three (3) square feet.

~~G. *Temporary open house and garage sale signs.* During an open house when real estate is offered for sale or rent and while a salesperson is physically present on the premises or during the time of a garage sale, one (1) nonilluminated three-square-foot on-site sign indicating that an open house or garage sale is being conducted is permitted.~~

~~Off-site directional signs may be permitted only for an open house, subject to the following provisions:~~

- ~~1. Such signs shall not exceed three (3) square feet in area or four (4) feet in height;~~
- ~~2. No flags or banners shall be used;~~
- ~~3. A maximum of four (4) signs are allowed;~~
- ~~4. Such signs shall be located on private property and must be approved by the private property owner;~~
- ~~5. Such signs shall be allowed only during daylight hours; and~~
- ~~6. Such signs shall be located not less than five (5) feet from the inside line of the sidewalk or, if there is no sidewalk, from the property line.~~

~~H. *Temporary residential real estate advertising signs.* Residential properties may have one (1) real estate sign per unit being offered for sale, lease or rent. Such signs shall not exceed six (6) feet in height, and shall be designed and located in a manner approved by the director. Such signs shall be removed within seven (7) days after the property is sold or rented, or the offer for the sale or rent is terminated. Property shall be deemed to be sold upon the close of escrow. No flags, balloons or banner may be utilized. Such signs shall not be illuminated or posted on trees, fence posts, or public utility poles, or located within any public right-of-way.~~

~~I. *Temporary noncommercial signs and banners.* Temporary noncommercial signs and banners shall be permitted only to advertise an upcoming civic, patriotic, nonprofit, charitable, or special event of general public interest taking place within the boundaries of the city. Temporary signs and banners are permitted in all zones subject to the following regulations: on each lot a maximum of two (2) temporary freestanding signs containing only noncommercial messages are permitted. The limitation on the number of signs shall be suspended during the thirty (30) days before and seven (7) days after a local, state or national election. All temporary noncommercial signs or banners shall be removed within three (3) days after the event for which they are intended. Each temporary noncommercial sign or banner shall not exceed six (6) square feet in sign area, with a maximum height of six (6)~~

FOR REFERENCE ONLY

~~feet. One (1) temporary sign or banner advertising an upcoming charitable or community event occurring within the boundaries of the city may be displayed on each street frontage per lot in all zones for a maximum of thirty (30) days per event, and shall not exceed thirty (30) square feet in size, ten (10) feet in length, and six (6) feet in height. Such signs are in addition to all other signage allowed in this chapter. Such signs shall not be illuminated or posted on trees, fence posts or public utility poles, or located within any public right-of-way.~~

~~J. *Vending machine signs.* Permanent signs painted on, or attached to, vending machines, gas pumps, ice containers or similar dispensing devices, may be displayed without a permit so long as they are oriented primarily to pedestrians on the property and not towards the street, and the message or copy thereon relates to the items vended by such machine. Vending machine signs may not display off-site commercial messages.~~

~~(Ord. No. 15-415, § 2, 2-25-2015)~~

~~**Editor's note**— Ord. No. 15-415, § 2, adopted Feb. 25, 2015, amended § 9655.4 in its entirety to read as set out herein. Former § 9655.4 pertained to temporary noncommercial signs and banners and derived from Ord. No. 13-399, § 10, adopted Feb. 27, 2013.~~

9655.4. General provisions.

A. *Sign area.* The maximum allowable sign area shall be determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.

B. *Sign height.* The maximum allowable sign height shall be measured by the distance from the average adjacent ground level within five (5) feet of the base of the sign to the top of the sign, including the superstructure and any design element.

C. *Sign lighting.* No sign shall be illuminated after 11:30 p.m. or close of business, whichever occurs last.

D. *Owner's consent required.* The consent of the property owner or person in control or possession of the property is required before any sign may be erected on any private property in the city.

FOR REFERENCE ONLY

E. *Obstruction of public passage.* No signs shall be installed so as to obstruct any window, door, fire escape or other emergency exit of any building.

F. *Maintenance of signs.* All signs shall be maintained in a neat and attractive, well-repaired condition. The display surface of all signs shall be kept clean, neatly painted and free from rust, cracking, peeling, corrosion or other states of disrepair.

G. *Prohibited locations.* No signs shall be located in such a manner as to face in the direction of or be visible to property in a residential district when such sign would be less than two hundred (200) feet from such residential property unless such sign faces and is parallel to a public right-of-way.

H. Any noncommercial message may be substituted for the copy of any commercial sign allowed by this Chapter. Any sign displaying a noncommercial message shall be deemed to be on-site.

~~H. *Noncommercial signs.* Noncommercial signs are allowed wherever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this chapter. An approval is required for a permanent noncommercial sign only when a permanent commercial sign has not been previously approved. For purposes of this division, all noncommercial speech messages shall be deemed to be "on-site", regardless of location.~~

~~I. *Substitution of noncommercial message.* Subject to the consent of the property owner or person in control or possession of the property, a noncommercial message of any type may be substituted for all or part of the commercial or noncommercial message on any sign allowed pursuant to this chapter. Design criteria that may apply to commercial signs, such as color, lettering style or compatibility with other signs on the same parcel or other signs subject to a sign program, do not apply to noncommercial signs. No special or additional approval is required to substitute a noncommercial message for any other message on an allowable sign, provided the sign structure is already approved or exempt from the approval requirement. When a noncommercial message is substituted for any other message, the sign is still subject to the same locational and structural regulations, such as size, height, illumination, maintenance, duration of display, building and electrical code requirements, as would apply if the sign were used to display a commercial message or some other noncommercial message. In the event of any perceived or actual conflict between the general provisions of this subsection and other specific provisions in this chapter, the provisions of this subsection shall prevail.~~

~~J. *Substitution of commercial messages.* The substitution of one (1) commercial message for another commercial message is not automatically allowed nor is the free substitution of a commercial message in a place where only a noncommercial~~

FOR REFERENCE ONLY

~~message is allowed. In addition, no off-site commercial messages may be substituted for on-site commercial messages.~~

~~(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 06-340, § 1, 12-13-2006)~~

(Note: The above provisions in “9655.4 General provisions” are currently contained in “9655.7 General provisions.”)

9655.5 Permit requirements and procedure Application and review procedures for permanent signs.

- A. *Sign permit.* ~~Signs~~ Permanent signs shall only be constructed, displayed or altered with sign permit approval by the director or appropriate decision-making body. Sign permits shall be prepared, filed, processed, and approved or denied in compliance with this section.
- B. *Application.* An application for a sign permit shall be made on the form provided by the department of planning and community development and shall be accompanied by the required fee. Such application shall set forth and contain the following information and materials:
1. The location and size of any existing or proposed buildings or structures on the property, which are or will be under the ownership or control of the applicant.
 2. The location of off-street parking facilities, including major points of entry and exit for motor vehicles where directional signs are proposed.
 3. The position of the proposed sign and its relationship to existing or proposed adjacent buildings and structures, which are or will be under the ownership or control of the applicant.
 4. The proposed design, size, exact colors, materials, orientation, and location of the sign or sign structure.
 5. The method of attachment to any structure.
 6. A statement showing sizes and dimensions of all other signs existing on the property under the ownership or control of the applicant.
 7. A statement showing the size and color relationships of such sign or sign structure to the appearance and design of existing or proposed buildings and structures on the property.
 8. Photographs of all sides of any building or renderings of proposed buildings.

FOR REFERENCE ONLY

9. Such other information as the department of planning and community development may require to secure compliance with this part.

C. *Review and approval authority.* A sign permit shall be approved or disapproved by the director in compliance with the criteria set forth in subsection D and the provisions of this part;

D. *Criteria.* The following criteria shall be the only criteria used in reviewing an application for a sign permit:

1. That the sign is consistent with the provisions of this part and title;

2. That ~~both~~ the location and orientation of the proposed sign, as well as the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions), are legible under normal viewing conditions prevailing where the sign is to be installed;

~~3. That the location and design of the proposed sign, its size, shape, illumination, and color are compatible with the visual characteristics of the surrounding area so as not to cause significant depreciation of the value or or quality of adjacent properties. Depreciation shall be based on an independent property appraisal.~~

~~43.~~ That the proposed sign is consistent with the sign standards found in subsection ~~E. and F. below~~ sections 9655.6 and 9655.7;

~~54.~~ That the proposed sign is consistent with the adopted sign design guidelines available at the planning and community development public counter.

~~E. *Sign standards.*~~

~~1. Sign integration requirement. All permanent signs shall be designed as an integral part of the total building design.~~

~~2. Number of colors. All permanent signs, except as hereinafter provided, shall contain no more than three (3) different colors. Different shades shall be considered separate colors. The planning commission may consider a sign program with a multi-color sign palette utilizing a maximum of five (5) colors. For the purposes of this section, black and white shall be considered colors. Logos with trademarked colors are exempt from this provision. Logos shall not exceed twenty (20) percent of the total combined permitted sign area.~~

~~3. Sign copy. Not more than twenty-five (25) percent of the total area of any sign shall include descriptive wording which is not a part of the name of the business.~~

~~4. Types of material. The types of materials for sign structures shall, if possible and practicable, be compatible with materials used in the related buildings.~~

FOR REFERENCE ONLY

~~5. Illumination of signs. Unless otherwise prohibited by this part, signs may be illuminated subject to the approval of the director to ensure that such illumination does not create any public safety hazards. The approval of any illuminated sign shall not be final until thirty (30) days after installation during which period the director may order the dimming of any illumination found to be excessively brilliant, and no sign approval shall be valid until such order has been carried out to the satisfaction of the director. Illumination shall be considered excessive when it prevents perception of objects or buildings beyond or in the vicinity of the sign. In no case shall an illuminated sign or lighting device be so placed or directed as to permit the beams and/or illumination therefrom to be directed or beamed upon a public street, walkway, or adjacent properties so as to cause glare or reflection that may constitute a traffic or safety hazard or interfere with the use and enjoyment of adjacent properties.~~

~~6. Screening. To minimize the visual mass and projection of the sign, all electrical transformer boxes and raceways shall be concealed from public view. If a raceway cannot be mounted internally behind the finished exterior wall, the exposed metal surfaces of the raceway shall be finished to match the background wall, or integrated into the overall design of the sign. All exposed conduit shall also be concealed from public view.~~

~~F. Standards for specific types of signs. The following standards are in addition to the standards set forth in subsection E. above.~~

~~1. Wall signs.~~

~~i. Location. The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail.~~

~~ii. Maximum area and height. The maximum area and height shall be as defined in section 9655.8 sign entitlement by land use. In no case shall the sign project above the edge of the roof of a structure.~~

~~iii. Projection from wall. The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve (12) inches.~~

~~2. Monument signs (identification, directory or address).~~

~~i. Location. The sign shall be located a minimum of five (5) feet from any public or private right-of-way and shall comply with city standards for vehicular sight distance at the driveway intersection with the frontage street.~~

~~ii. Maximum area. The sign shall be a maximum of forty-eight (48) square feet in area. Only one (1) side of a double-faced (back to back) sign shall be included~~

FOR REFERENCE ONLY

~~when calculating sign area. Sign area calculations shall not include architectural treatments or support structures.~~

~~iii. Maximum height. The maximum height of a monument sign shall be six (6) feet. Architectural treatments or support structures shall be included in the height measurement.~~

~~iv. Materials and lighting. The use of plastic material as a background is not permitted. The sign background material shall be opaque, which means that any interior light source shall not penetrate the material and illuminate the background but shall be limited to illuminating the sign letters.~~

~~v. Landscaping requirements. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. The director may reduce or waive this requirement if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.~~

~~3. Awning and canopy signs. Awning and canopy signs may be allowed only as an integral part of the awning or canopy to which they are attached or applied, as follows.~~

~~i. Location. Signs may be placed only on awnings that are located on first story building frontages, including those fronting a parking lot or pedestrian way.~~

~~ii. Maximum area. The sign area shall be included within the basic sign entitlement.~~

~~iii. Maximum height. No structural element of an awning or canopy shall be located less than eight (8) feet above finished grade.~~

~~iv. Sign text or logo areas shall not occupy more than thirty (30) percent of the awning panel.~~

~~iv. Lighting. Awnings shall not be internally illuminated. Lighting directed downwards that does not illuminate the awning is allowed.~~

~~vi. Required maintenance. Awning and canopy signs shall be regularly cleaned and kept free of dust and visible defects.~~

~~4. Under canopy signs.~~

~~i. Location. The sign shall be placed or hung only on a ground floor facade, near the main entrance of the businesses, except for businesses located above the ground level with direct exterior pedestrian access.~~

FOR REFERENCE ONLY

- ii. ~~Maximum height. The lowest point of an under canopy sign shall be at least eight (8) feet above finished grade.~~
- iii. ~~Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.~~

~~5. Projecting signs.~~

- i. ~~Maximum area. The sign area shall be included within the basic sign entitlement. Size uniformity should be maintained along street frontages to the greatest extent possible. The text, copy and logo should not exceed seventy five (75) percent of the sign background.~~
- ii. ~~Maximum height. The height shall not be less than eight (8) feet above the ground level, unless the architectural features of the structure prohibit this height.~~
- iii. ~~Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.~~

~~G. Findings. If a sign permit application is denied, specific and detailed findings setting forth the reasons why the proposed sign violates the criteria set forth above or other provisions of this division shall be prepared in writing and mailed to the applicant or his agent and sign contractor within ten (10) working days.~~

~~H. Appeals. Any decision made by the director or the planning commission may be appealed in accordance with the provisions of this title. The decision of the city council on any appeal shall be final.~~

E. Findings. If a sign permit application is denied, specific and detailed findings setting forth the reasons why the proposed sign violates the criteria set forth above or other provisions of this division shall be prepared in writing and mailed to the applicant or his agent and sign contractor within ten (10) working days.

F. Appeals. Any decision made by the director or the planning commission may be appealed in accordance with the provisions of this title. The decision of the city council on any appeal shall be final.

(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 06-340, § 1, 12-13-2006)

9655.6 Sign program.

A. ~~Purpose. A sign program is intended to (1) integrate the design of the signs proposed for a development project with the design of the structures, into a unified architectural statement; and (2) provide a means for defining common sign regulations for multi-tenant projects and other users of multiple signs, in order to~~

FOR REFERENCE ONLY

~~encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of this chapter. For the purposes of this provision, a development project is a project involving the construction or remodeling of improvements on privately-owned property.~~

~~B. *Applicability.* The approval of a sign program shall be required whenever any of the following circumstances exist, or whenever an applicant applying for a land use entitlement requests the approval of a sign program:~~

- ~~1. New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities.~~
- ~~2. New multi-family developments whenever five (5) or more signs are proposed.~~
- ~~3. Whenever five (5) or more signs are proposed for a new or existing development;~~
- ~~4. When an existing shopping center requests an increase in the size, height, location and number of a monument or directory sign pursuant to subsection 9655.11 D.~~
- ~~5. The director determines that a sign program is needed to ensure compliance with the provisions of this chapter.~~

~~C. *Review and approval authority.* The planning commission may approve a sign program through the granting of a sign permit for a sign program.~~

~~D. *Application requirements.* A sign permit application for a sign program shall include all information and materials listed in section 9655.5 and the filing fee set by the city's fee resolution.~~

~~E. *Standards.* A sign program shall comply with the criteria established in subsection 9655.5.D and the following standards:~~

- ~~1. The program shall comply with the purpose of this chapter and the overall intent of this section;~~
- ~~2. The program shall accommodate future revisions that may be required because of changes in use or tenants; and~~
- ~~3. The program shall comply with the standards of this chapter, except that a variance or modification is allowed with regard to sign area, number, location, or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the purposes of this division.~~

FOR REFERENCE ONLY

~~F. *Revisions to sign programs.* Revisions to a sign program determined to be minor in nature may be approved by the director with a standard sign permit if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new comprehensive sign program approved by the planning commission.~~

9655.6. General sign standards for permanent signs.

A. Sign integration requirement. All permanent signs shall be designed as an integral part of the total building design.

B. Number of colors. All permanent signs, except as hereinafter provided, shall contain no more than three (3) different colors. Different shades shall be considered separate colors. The planning commission may consider a sign program with a multi-color sign palette utilizing a maximum of five (5) colors. For the purposes of this section, black and white shall be considered colors. Logos with registered trademarked colors are exempt from this provision.

C. Types of material. The types of materials for sign structures shall, if possible and practicable, be compatible with materials used in the related buildings.

D. Illumination of signs. Unless otherwise prohibited by this part, signs may be illuminated subject to the approval of the director to ensure that such illumination does not create any public safety hazards. The approval of any illuminated sign shall not be final until thirty (30) days after installation during which period the director may order the dimming of any illumination found to be excessively brilliant, and no sign approval shall be valid until such order has been carried out to the satisfaction of the director. Illumination shall be considered excessive when it prevents perception of objects or buildings beyond or in the vicinity of the sign. In no case shall an illuminated sign or lighting device be placed or directed as to permit the beams and/or illumination therefrom to be directed or beamed upon a public street, walkway, or adjacent properties so as to cause glare or reflection that may constitute a traffic or safety hazard.

E. Screening. To minimize the visual mass and projection of the sign, all electrical transformer boxes and raceways shall be concealed from public view. If a raceway cannot be mounted internally behind the finished exterior wall, the exposed metal surfaces of the raceway shall be finished to match the background wall, or integrated into the overall design of the sign. All exposed conduit shall also be concealed from public view.

9655.7. General provisions.

~~A. *Sign area.* The maximum allowable sign area shall be determined by drawing a line around the outer perimeter of the writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the~~

FOR REFERENCE ONLY

~~display or used to differentiate such sign from the background against which it is placed. If the sign consists of more than one (1) section or module, all of the area, including the area between the sections or modules, shall be included in the computation of sign area. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy shall be used in computing the area of a sign.~~

- ~~B. *Sign height.* The maximum allowable sign height shall be measured by the distance from the average adjacent ground level within five (5) feet of the base of the sign to the top of the sign, including the superstructure and any design element.~~
- ~~C. *Sign lighting.* No sign shall be illuminated after 11:30 p.m. or close of business, whichever occurs last.~~
- ~~D. *Owner's consent required.* The consent of the property owner or person in control or possession of the property is required before any sign may be erected on any private property in the city.~~
- ~~E. *Obstruction of public passage.* No signs shall be installed so as to obstruct any window, door, fire escape or other emergency exit of any building.~~
- ~~F. *Maintenance of signs.* All signs shall be maintained in a neat and attractive, well-repaired condition. The display surface of all signs shall be kept clean, neatly painted and free from rust, cracking, peeling, corrosion or other states of disrepair.~~
- ~~G. *Prohibited locations.* No signs shall be located in such a manner as to face in the direction of or be visible to property in a residential district when such sign would be less than two hundred (200) feet from such residential property unless such sign faces and is parallel to a public right-of-way.~~
- ~~H. *Noncommercial signs.* Noncommercial signs are allowed wherever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this chapter. An approval is required for a permanent noncommercial sign only when a permanent commercial sign has not been previously approved. For purposes of this division, all noncommercial speech messages shall be deemed to be "on-site", regardless of location.~~
- ~~I. *Substitution of noncommercial message.* Subject to the consent of the property owner or person in control or possession of the property, a noncommercial message of any type may be substituted for all or part of the commercial or noncommercial message on any sign allowed pursuant to this chapter. Design criteria that may apply to commercial signs, such as color, lettering style or compatibility with other signs on the same parcel or other signs subject to a sign program, do not apply to noncommercial signs. No special or additional approval is~~

FOR REFERENCE ONLY

~~required to substitute a noncommercial message for any other message on an allowable sign, provided the sign structure is already approved or exempt from the approval requirement. When a noncommercial message is substituted for any other message, the sign is still subject to the same locational and structural regulations, such as size, height, illumination, maintenance, duration of display, building and electrical code requirements, as would apply if the sign were used to display a commercial message or some other noncommercial message. In the event of any perceived or actual conflict between the general provisions of this subsection and other specific provisions in this chapter, the provisions of this subsection shall prevail.~~

~~J. *Substitution of commercial messages.* The substitution of one (1) commercial message for another commercial message is not automatically allowed nor is the free substitution of a commercial message in a place where only a noncommercial message is allowed. In addition, no off-site commercial messages may be substituted for on-site commercial messages.~~

~~(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 06-340, § 1, 12-13-2006)~~

9655.7 Standards for specific types of permanent signs.

The following standards are in addition to the standards set forth in Section 9655.6 above.

A. Wall signs.

1. Location. The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail.
2. Maximum area and height. The maximum area and height shall be as defined in Section 9655.8, permanent sign entitlement by land use. In no case shall the sign project above the edge of the roof of a structure.
3. Projection from wall. The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve (12) inches.

B. Monument signs.

1. Location. The sign shall be located a minimum of five (5) feet from any public or private right-of-way and shall comply with city standards for vehicular sight distance at the driveway intersection with the frontage street.

FOR REFERENCE ONLY

2. Maximum area. The sign shall be a maximum of forty-eight (48) square feet in area. Only one (1) side of a double-faced (back to back) sign shall be included when calculating sign area. Sign area calculations shall not include architectural treatments or support structures.
3. Maximum height. The maximum height of a monument sign shall be six (6) feet. Architectural treatments or support structures shall be included in the height measurement.
4. Materials and lighting. The use of plastic material as a background is not permitted. The sign background material shall be opaque, which means that any interior light source shall not penetrate the material and illuminate the background but shall be limited to illuminating the sign letters.
5. Landscaping requirements. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. The director may reduce or waive this requirement if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.

C. Awning and canopy signs. Signs on awnings and canopy signs may be allowed only as an integral part of the awning or canopy to which they are attached or applied, as follows.

1. Location. Signs may be placed only on awnings that are located on first story building frontages, including those fronting a parking lot or pedestrian way.
2. Maximum area. The sign area devoted to awning and canopy signs shall be included in the calculation of the maximum allowable wall sign area pursuant to section 9655.8.B.1.
3. Overhead clearance. No structural element of an awning or canopy shall be located lower than eight (8) feet above finished grade.
4. Sign text or logo areas shall not occupy more than thirty (30) percent of the awning panel.
5. Lighting. Awnings shall not be internally illuminated. Lighting directed downwards that does not illuminate the awning is allowed.

FOR REFERENCE ONLY

6. Required maintenance. Awning and canopy signs shall be regularly cleaned and kept free of dust and visible defects.

D. Under canopy signs.

1. Location. The sign shall be placed or hung only on a ground floor facade, near the main entrance of each leasable tenant space.
2. Overhead clearance. The lowest point of an under canopy sign shall be no lower than eight (8) feet above finished grade.
3. Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

E. Projecting signs.

1. Maximum area. The sign area devoted to projecting signs shall be included included in the calculation of the maximum allowable wall sign area pursuant to section 9655.8.B.1. Size uniformity should be maintained along street frontages to the greatest extent possible. The text, copy and logo should not exceed seventy-five (75) percent of the sign background.
2. Overhead clearance. The lowest point of a projecting sign shall not be lower than eight (8) feet above the ground level.
3. Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

F. Window signs. Window signs that are permanent and either painted on or affixed to the window, and which are visible from the public right-of-way or public areas, shall be in allowed in addition to the total authorized sign area pursuant to section 9655.8.B.1. The cumulative sign area of this type of window sign shall not exceed five (5) square feet of the total window area. The total window area shall include the aggregate square footage of the vertical glass areas in the windows and entry doors in each individual storefront or tenant space. Exposed neon illumination, exposed fluorescent illumination and scintillating, flashing, animating or revolving signs are prohibited. Window signs are not subject to a sign permit.

G. Directional signs. All directional signs shall be located a minimum of ten (10) feet from the street property line and shall not exceed three (3) feet in height and three (3) square feet in area.

9655.8. Permanent Ssign entitlement by land use.

~~The sign entitlements provided by this section shall be considered the maximum permitted sign entitlements under this part. Such sign entitlements may be reduced as~~

FOR REFERENCE ONLY

~~a condition of approval for the sign permit for a particular sign or signs if necessary to satisfy the sign criteria set forth in subsection 9655.5.D of this part. The purpose of sign regulations in the residential, commercial, business, and office land use zones is to limit the number of signs to eliminate clutter and to promote compatibility, proportion, simplicity, and sign effectiveness.~~

~~A. Residential land use districts.~~

- ~~1. Apartments and condominiums Multi-family developments. One (1) monument identification sign, maximum forty-eight (48) square feet and six (6) feet in height, may be erected on each public street frontage upon which the complex has public access. In addition, interior ~~directional~~ signs which are visible from any public right-of-way, may be approved by the director ~~to identify special elements of such complexes such as clubhouses and other common area facilities~~ provided that such signs do not exceed six (6) square feet in area and four (4) feet in height. Interior ~~directional~~ signs not visible from any public right-of-way shall not be subject to the requirements of this paragraph.~~
- ~~2. Other permitted uses except for family day care, residential care, and congregate housing. For each nonresidential use not more than one (1) monument identification sign per public street frontage upon which such use has public access may be erected to identify the use except as otherwise allowed as part of a conditional use permit.~~

~~B. Commercial, and business park land use districts.~~

- ~~1. Basic sign entitlement—Business parks, offices and retail uses. Each separately leased space in a building shall be limited to one (1) sign integrated into the design of the building. The signs permitted under this paragraph shall be referred to as the "basic sign entitlement." Except as otherwise provided by this part, the following sign area limitations shall apply:
 - ~~a. Buildings located within one hundred (100) feet of a right-of-way. The total aggregate area of a sign for each separately leased space located within one hundred (100) feet of any public or private right of way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. For leased spaces located in a multi-tenant building, the sign area shall be calculated using one (1) square foot of sign area for each foot of primary building frontage of the tenant space. In no event, however, shall the aggregate sign area exceed fifty (50) square feet.~~~~

~~Office buildings shall be limited to one (1) sign on the exterior of the building solely identifying the name of the building. For tenants located in a complex or center, the maximum sign length shall not exceed sixty-five (65) percent of the length of the tenant space in order to provide clear definition between~~

FOR REFERENCE ONLY

signs and avoid a crowded appearance. The sign shall be generally centered over the tenant space.

~~b. Buildings located more than one hundred (100) feet from a right-of-way. The total aggregate area of a sign for each tenant space or any office building located more than one hundred (100) feet from any public or private right-of-way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. For tenants located in a multi-tenant building, the sign area shall be calculated using one (1) square foot of sign area for each foot of frontage of the tenant space. In no event, however, shall the aggregate sign area exceed seventy (70) square feet.~~

~~Office buildings shall be limited to one (1) business sign solely identifying the name of the building. For retail tenants located in a complex or center, the maximum sign length shall not exceed sixty five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The sign shall be generally centered over the store front or tenant space.~~

In addition to the basic sign entitlement, monument signs are allowed as follows:

~~c. Commercial and business complex, center or park with common name. Any commercial and business complex, center or park which has a common name is permitted one (1) complex monument identification sign, or one (1) directory monument sign or one (1) address monument sign.~~

~~d. Commercial and business complex, center or park larger than two (2) acres with frontage on two (2) or more streets. Any commercial and business complex, center or park which has a common name and is in excess of two (2) acres in area, is permitted one (1) complex monument identification sign, or one (1) directory monument sign or one (1) address monument sign for each public street frontage.~~

~~e. Single tenant building or office building. For a single business totally occupying a commercial building, which is not part of a larger complex, project, center or park or for an office building, a freestanding monument sign is permitted.~~

In addition to the basic sign entitlement, wall, canopy, awning and directional signs are allowed as follows:

~~f. Signs on awnings. Painted, nonilluminated signs may be permitted on the borders of marquees, canopies, awnings, arcades, or similar structures or attachments. Such signs shall be included in the basic sign area entitlements.~~

FOR REFERENCE ONLY

- ~~g. *Projecting signs and under canopy signs.* One (1) projecting sign or under canopy sign shall be permitted. Such signs shall be included in the basic sign area entitlements.~~
- ~~h. *Major tenants in shopping centers.* Major tenants in shopping centers, which have a frontage greater than one hundred (100) feet, are permitted to have a maximum sign area of two hundred (200) square feet.~~
- ~~i. *Businesses located on second floor.* Businesses maintained exclusively on the second floor of a two (2) story commercial center building may be allowed one (1) sign, provided that the square footage of the sign not exceed one-quarter of the tenant frontage, or a maximum of ten (10) square feet, whichever is greater.~~
- ~~j. *Frontage on two (2) or more streets.* A business located in a commercial or business park building having frontage on more than one (1) public right-of-way may use the basic sign entitlement on one (1) frontage and one-half of the allowance on the second public frontage. Said allowance shall only be utilized on the frontage on which the allowance is based.~~

~~For purposes, of this paragraph, frontage shall include any public entrance to the premises upon which the subject business is located from a public right-of-way even though the subject business does not actually front such right-of-way. In addition, a business with a public entrance on a secondary frontage on a private right of way may have a sign located on such frontage which does not exceed ten (10) square feet.~~

- ~~k. *Freeway facing signage.* Subject to approval of a sign program, all commercial or business park buildings, which either directly back or side upon Highway 101, may be permitted a total of one (1) secondary sign, which shall not exceed twenty five (25) square feet in sign area. The secondary sign may be increased up to fifty (50) square feet in lieu of a primary sign. Such sign shall advertise solely the name of the business center or primary tenant. A maximum of one (1) secondary sign shall be allowed for a tenant occupying multiple buildings in a business park or commercial complex. This provision does not apply to those buildings or uses, which are separated by a public frontage road from the freeway.~~
- ~~l. *Vehicle directional signs.* Directional signs shall be limited in number to the greater of five (5) signs or four (4) signs per frontage for any business premises that has more than one (1) frontage. The maximum area for such signs shall be three (3) square feet, and such signs shall not exceed three (3) feet in height. A directional sign may display a logo of a business located on the subject property as well as an arrow or other directional symbol and/or words, including but not limited to "parking," "enter," "exit," "do not enter," "drive thru," "welcome" and other similar messages.~~

FOR REFERENCE ONLY

~~m. *Pedestrian directional signs.* Where the principal sign for a business is located so that it cannot be seen by pedestrian traffic a directional identification sign, in addition to that otherwise allowed under this part, is permitted. Such signs shall be not larger than three (3) square feet per side and shall be designed and located so as to not distract from the appearance of the building or violate the purposes of this part.~~

~~n. *Off-site directional signs.* Where the primary vehicular access for a property is located on an adjacent property and the point of access is not readily evident due to the configuration of the lot or topographical issues, a vehicle directional sign may be allowed on the adjacent property to identify access to the property. The maximum area of the sign shall be three (3) square feet and such signs shall not exceed (3) three feet in height.~~

(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 06-340, § 1, 12-13-2006)

B. *Commercial, business park and planned development land use districts.*

1. *Walls signs for business park, office and retail uses.* Each business park tenant, office tenant, or retail tenant shall be limited to one (1) wall sign per primary frontage integrated into the design of the building. Except as otherwise provided by this part, the following sign area limitations shall also apply:

a. *Buildings located within one hundred (100) feet of public right-of-way:*

i. *Office buildings shall be limited to one (1) business sign.*

ii. *The maximum allowable sign area for each tenant located within one hundred (100) feet of any public or private right-of-way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the maximum sign area exceed fifty (50) square feet.*

iii. *For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty-five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The sign shall be generally centered over the storefront or tenant space.*

b. *Buildings located more than one hundred (100) feet from public right-of-way:*

i. *Office buildings shall be limited to one (1) business sign.*

FOR REFERENCE ONLY

- ii. The maximum allowable sign area for each tenant located more than one hundred (100) feet from any public or private right-of-way shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign area exceed seventy (70) square feet.
- iii. For tenants located in a multi-tenant building or center, the maximum sign length shall not exceed sixty-five (65) percent of the length of the tenant space in order to provide clear definition between signs and avoid a crowded appearance. The sign shall be generally centered over the storefront or tenant space.
- c. Major tenants in shopping centers. The maximum allowable wall sign area for a major tenants in shopping centers, which have a frontage greater than one hundred (100) feet, shall not exceed one (1) square foot of sign area for each foot of primary building frontage. In no event, however, shall the sign exceed two hundred (200) square feet.
- d. Businesses located on second floor. Businesses maintained exclusively on the second floor of a two (2) story commercial center building may be allowed one (1) wall sign, provided that the square footage of the wall sign not exceed one-quarter of the tenant frontage, or a maximum of ten (10) square feet, whichever is greater.
- e. Frontage on two (2) or more streets. A business located in a commercial or business park building having frontage on more than one (1) public right-of-way may use the applicable maximum allowable wall sign area in Section 9655.8.B.1 on one (1) frontage and one-half of the allowance on the second public frontage. Said allowance shall only be utilized on the frontage on which the allowance is based. For purposes, of this paragraph, frontage shall include any public entrance to the premises upon which the subject business is located from a public right-of-way even though the subject business does not actually front such right-of-way. In addition, a business with a public entrance on a secondary frontage on a private right-of-way may have a sign located on such frontage which does not exceed ten (10) square feet.
- f. Freeway facing signage. Subject to approval of a sign program, all buildings in commercial, business park, or planned development land use districts, which either directly back or side upon Highway 101, may be permitted a total of one (1) secondary sign, which shall not exceed twenty-five (25) square feet in sign area. The secondary sign may be increased up to fifty (50) square feet in lieu of a primary sign. A maximum of one (1) secondary sign shall be allowed for a tenant occupying multiple buildings in a business park or commercial complex. This provision does not apply to those buildings or uses, which are separated by a public frontage road from the freeway.

FOR REFERENCE ONLY

2. In addition to the wall sign allowances in section 9655.8.B. 1, monument signs are allowed as follows:
 - a. Commercial and business complex, center or park with common name. Any commercial and business complex, center or park that has a common name is permitted one (1) monument sign.
 - b. Commercial and business complex, center or park larger than two (2) acres with frontage on two (2) or more streets. Any commercial and business complex, center or park that has a common name and is in excess of two (2) acres in area, is permitted one (1) monument sign for each public street frontage.
 - c. Single tenant building or office building. For a single business totally occupying a building, which is not part of a larger complex, project, center or park, one freestanding monument sign is permitted.
3. In addition to the wall sign allowances in section 9655.8.B. 1, the following signs on awnings, projecting signs, under canopy signs, on-site directional signs, off-site directional signs, and permanent window signs are allowed:
 - a. Signs on awnings. Painted, non-illuminated signs may be permitted on the borders of marquees, canopies, awnings, arcades, or similar structures or attachments. Such signs shall be counted toward the maximum wall sign area allowance pursuant to Section 9655.8.B.1.
 - b. Projecting signs and under canopy signs. One (1) projecting sign or under canopy sign shall be permitted. Such signs shall be counted towards the maximum wall sign area allowance pursuant to Section 9655.8.B.1.
 - c. On-site directional signs. On-site directional signs shall be limited in number to four (4) signs per frontage for any property that has more than one (1) frontage. The maximum area for such signs shall be three (3) square feet, and such signs shall not exceed three (3) feet in height.
 - d. Off-site directional signs. Where the primary vehicular access for a property is located on an adjacent property and the point of access is not readily evident due to the configuration of the lot or topographical issues, one directional sign may be allowed on the adjacent property to identify access to the property. The maximum area of the sign shall be three (3) square feet and such signs shall not exceed (3) three feet in height.
 - e. Permanent window signs. Window signs are allowed pursuant to Section 9655.7.F as permanent signs. Window signs are not subject to a sign permit.

FOR REFERENCE ONLY

C. Additional sign entitlement for specific uses. The following signs are permitted, with a sign permit, unless otherwise specifically prohibited:

1. Gasoline service stations. In addition to the signs allowed in Section 9655.8.B, gasoline service stations are allowed the following, in accordance with State law:
 - a. One (1) changeable copy sign per street frontage, placed on the ground, not to exceed twenty (20) square feet in area and six (6) feet in height. Such sign shall comply with Business & Professions Code Section 13530 et seq.
 - b. One (1) accessory wall sign not to exceed fifteen (15) square feet in area or one (1) accessory monument sign not to exceed fifteen (15) square feet in area and six (six) feet in height.
 - c. One (1) additional accessory wall sign not to exceed ten (10) square feet in area.
 - d. Sign at fuel dispensing pump. A maximum of one (1) sign shall be allowed on or above the actual fuel pumps not to exceed two (2) square feet in area.
2. Signs at a drive thru lane or window. Where there is such a facility, in addition to the signs allowed in Section 9655.B, two (2) changeable copy signs with a maximum area of thirty (30) square feet each, a maximum height of seven (7) feet, and oriented internally are permitted.

~~9655.9. Sign entitlement by specific land use.~~

~~A. The following signs are permitted in any land use zone, with a sign permit, unless otherwise specifically prohibited:~~

- ~~1. Gasoline service stations. In addition to the basic sign entitlement, gasoline service stations are allowed the following:~~
 - ~~a. One (1) gasoline or fuel price sign per street frontage, placed on the ground, not to exceed twenty (20) square feet in area and six (6) feet in height, advertising the actual price per gallon or liter including all taxes at which all grades of legally permitted fuels are sold. Any special conditions required for sale at such price including but not limited to "cash," "credit," "full-service," "mini-service," or "self-service," shall also be indicated.~~
 - ~~b. One (1) wall sign advertising the company name and/or logo; the operator; and accessory uses, including but not limited to, "mini-mart," "car wash," not to exceed fifteen (15) square feet in area; or a monument sign advertising the information listed above. The restrictions imposed by this part shall not be applicable to displays located on or above the actual fuel pumps, nor shall~~

FOR REFERENCE ONLY

~~they apply to stand-up or other type displays of service related products such as motor oil, windshield wipers, credit card applications and similar items. A maximum of one (1) sign shall be allowed on or above the actual fuel pumps not to exceed two (2) square feet in area.~~

~~c. One (1) informational sign located on a building wall not to exceed ten (10) square feet in area.~~

~~2. Fast service restaurants. In addition to the basic sign entitlement, fast service restaurants with drive-up or walk through facilities are permitted two (2) menu or reader boards with a maximum area of thirty (30) square feet each and a maximum height of seven (7) feet. For the purposes of determining this maximum area, any pictures or photographs of food products on the perimeter of the board shall not be included within the computation of the maximum area for such board.~~

~~3. Theaters. In addition to the basic sign entitlement, theaters are permitted one (1) attraction board to advertise nightclub, theater, or restaurant entertainment is permitted. The maximum permitted size for an attraction board shall be fifty (50) square feet if placed on a building wall facing a public street or twenty-five (25) square feet on each side if such board is incorporated into a monument sign otherwise permitted by this part. The advertising on the attraction board shall be limited to coming and current entertainment only.~~

~~4. Automated or manual service facilities. Signs for drive-up or walk-up service windows or machines, whether freestanding or incorporated into a building, require special consideration, which, because of their unlimited variety and character, a uniform sign entitlement cannot be established. Therefore, the sign allowance for such facilities shall be determined when the sign permit application is being reviewed on the basis of their function and use and such signs shall not be allowed as a method for increasing the basic sign entitlement for the principal use or to function as off-site advertising of the principal use. Examples of such facilities are drive-up or walk-up windows for banks, restaurants, liquor and grocery stores, and film processors.~~

~~(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 06-340, § 1, 12-13-2006)~~

9655.9 Sign

A. Purpose. A sign program is intended to (1) integrate the design of the signs proposed for a development project with the design of the structures, into a unified architectural statement; and (2) provide a means for defining common sign regulations for multi-tenant projects and other users of multiple signs, in order to encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of this chapter. For the purposes of this provision, a development project is a project involving the construction or remodeling of improvements on privately-owned property.

B. Applicability. The approval of a sign program shall be required under the following circumstances, or whenever an applicant applying for a land use entitlement requests the approval of a sign program:

1. New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities.
2. New multi-family developments whenever five (5) or more signs are proposed.
3. Whenever five (5) or more permanent signs are proposed for a new or existing development in the business park, commercial, or planned development zones;
4. When an existing shopping center requests an increase in the size, height, location and number of a monument sign pursuant to subsection 9655.12.C.
5. The director determines that a sign program is needed to ensure compliance with the provisions of this chapter.

C. Review and approval authority. The planning commission may approve a sign program through the granting of a sign permit for a sign program.

D. Application requirements. A sign permit application for a sign program shall include all information and materials listed in section 9655.5 and the filing fee set by the city's fee resolution.

E. Standards. A sign program shall comply with the criteria established in subsection 9655.5.D. and the following standards:

1. The program shall comply with the purpose of this chapter and the overall intent of this section;

FOR REFERENCE ONLY

2. The program shall accommodate future revisions that may be required because of changes in use or tenants; and
3. The program shall comply with the standards of this chapter, except that a variance or modification is allowed with regard to sign area, number, location, or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the purposes of this division.

F. Revisions to sign programs. Revisions to a sign program determined to be minor in nature may be approved by the director with a standard sign permit if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new comprehensive sign program approved by the planning commission.

9655.10. Special purpose signs.

A. ~~The following signs are permitted in any land use zone, with a sign permit for a temporary sign, unless otherwise specifically prohibited:~~

1. ~~Trade construction signs. One (1) nonilluminated sign per street frontage advertising the various construction trades is permitted on construction sites during the period that valid building permit approval exists. Such signs shall not exceed a maximum of thirty-two (32) square feet in sign area and shall be removed before a notice of completion is issued for the building being constructed. No trade construction sign shall exceed six (6) feet in height.~~
2. ~~Land subdivision signs. Signs advertising land subdivisions shall be limited to one (1) double-faced sign of twenty five (25) square feet for each street frontage. Such sign(s) shall be oriented to the public street frontage. The maximum height shall be six (6) feet. Such signs shall be at least two hundred (200) feet apart and shall be located within the subdivision. Such signs shall be removed when all lots within the subdivision are initially sold. Such signs shall not be illuminated.~~
3. ~~Future development signs. One (1) sign for each street frontage advertising a future development or the lease potential for future development not to exceed twenty five (25) square feet in area is permitted on parcels under one (1) acre in size. The area of the sign may be increased by five (5) square feet for each additional acre up to a maximum of fifty (50) square feet with approval by the director. However, such sign shall not be erected until the architectural review approval is received for the proposed project, and all such signs shall be removed before a notice of completion for the development or upon expiration of the project approval. Such signs shall face a public right-of-way and shall not be illuminated.~~

FOR REFERENCE ONLY

- ~~4. Occupancy signs. For the purpose of advertising pending and recent tenant occupancy for new businesses, temporary signs, not exceeding twenty (20) square feet in area may be approved by the director. Such signs may consist of one (1) banner on the exterior wall of the building within which the subject business is located and shall specify the name of the tenant. Such signs shall not be displayed more than ninety (90) consecutive days from the issuance of the sign permit, during which time the content of the signs may change, but shall be in keeping with the purpose of this section.~~

~~In addition, during the first four (4) days of a grand opening event, captive balloons, without regard to number, may be permitted provided that such balloons do not extend beyond the lowest point of the roofline of the business, obstruct other business in the vicinity, or interfere with pedestrian vehicle traffic.~~

~~The restrictions shall not in any way prohibit any person from handing out or giving away balloons as part of the normal activities of a business as long as such balloons are not in a captive state attached to a structure.~~

~~B. The following signs are permitted in any land use zone, with a sign permit, unless otherwise specifically prohibited:~~

- ~~1. Commercial and industrial real estate signs. Commercial and industrial properties may have sale, lease or rental signs on the following basis:
 - ~~a. One (1) sign per parcel, or~~
 - ~~b. One (1) sign per street frontage.~~~~

~~Signs shall not exceed three (3) feet by three (3) feet, or a total of nine (9) square feet in area and four (4) feet in height if attached to the ground by a pole(s) or other support structure. All ground mounted signs shall be displayed on a permanent sign structure designed consistent with the design of the center or building on which the real estate sign is placed. Wall or window signs shall not exceed two (2) feet by two (2) feet, or a total of four (4) square feet in area. Each sign shall be designed and located in a manner satisfactory to the director. No commercial and industrial real estate sign shall be illuminated and no banners are allowed. No other temporary real estate signs shall be allowed beyond those allowed by this provision.~~

~~All temporary commercial and business park real estate signs erected pursuant to a sign permit issued prior to the adoption of this chapter must be removed or re-permitted within six (6) months of the effective date of this chapter. All temporary commercial and business real estate signs erected without permits must be removed or permitted immediately.~~

~~(Ord. No. 05-330, § 1, 5-11-2005; Ord. No. 08-354, § 3, 9-10-2008)~~

9655.10. Temporary signs.

A. Temporary window signs. Temporary non-illuminated window signs are allowed in the commercial, business park, and planned development zones and are allowed in addition to the total authorized sign area but shall not exceed twenty-five (25) percent of the total window area; shall not exceed one (1) sign per window panel; and shall not exceed fifty (50) percent of any individual window panel. The total window area shall include the square footage of the aggregate vertical glass areas of windows and entry doors in each individual storefront or tenant space that are parallel to the primary street frontage serving the property. If more than one (1) street frontage serves the property, for purposes of displaying temporary window signs the primary street frontage may be determined by the business owner. Said signs may be displayed on any window; shall be measured as defined for sign area in this article; and shall be compatible in terms of colors with the permanent signs, except fluorescent colors shall be prohibited. A sign permit is not required for these signs.

B. Yard signs.

1. Residential and Open Space Zones. A maximum of two (2) yard signs per lot not exceeding six (6) square feet in area and six (6) feet in height for each sign are allowed in the residential and open space restricted zones for a period not exceeding 120 days in twelve (12) consecutive months. A sign permit is not required for these signs.
2. Commercial, Business Park, and Planned Development Zones, with the approval of a sign permit. During the time that valid building permits exist for new construction or remodel, up to two (2) temporary yard signs, one not exceeding thirty-two (32) square feet in area and another not exceeding twenty-five (25) square feet, are permitted on the lot per street frontage. Such signs shall not exceed six (6) feet in height and removed before notice of completion is issued for the building(s) being constructed.

FOR REFERENCE ONLY

C. Charitable or Community Events. For a maximum 30-day period prior to a charitable or community event occurring within the boundaries of the city, and for three (3) days after such an event, one (1) temporary sign or banner may be displayed on a parcel along each street frontage per parcel in only commercial, business park, and planned development land use districts for a maximum of thirty-three (33) days per event. Such signs shall not exceed thirty (30) square feet in size, ten (10) feet in length, and six (6) feet in height. Such signs are in addition to all other signage allowed in this chapter. Such signs shall not be illuminated or posted on trees, fence posts or public utility poles, or located within any public right-of-way. A sign permit is not required for these signs or banners.

D. New Tenancies.

1. During a period of ninety (90) consecutive days from issuance of the sign permit, the director may approve one banner not exceeding twenty (20) square feet in area for any pending or recent occupancies of new tenant spaces on a parcel in which the tenancy is located in the commercial, business park, and planned development land use districts. Such signs may consist of one (1) banner on the exterior wall of the building within which the subject tenancy is located. The content of the banner may be changed during the 90-day period.
2. In addition, during the first four (4) days of a grand opening event, captive balloons, without regard to number, may be permitted provided that such balloons do not extend beyond the lowest point of the roofline of the business, obstruct other business in the vicinity, or interfere with pedestrian vehicle traffic.
3. These restrictions shall not in any way prohibit any person from handing out or giving away balloons as part of the normal activities of a business as long as such balloons are not in a captive state attached to a structure.

E. Commercial and industrial real estate marketing period.

1. Temporary on-site signs are allowed on properties in the commercial, business park, and planned development land use districts during the period of time when such properties are for sale, lease or rent on that parcel, if the property owner obtains a sign permit pursuant to the following requirements:
 - a. One (1) sign per parcel; or
 - b. One (1) sign per street frontage.

FOR REFERENCE ONLY

2. Such signs shall not exceed three (3) feet by three (3) feet, or a total of nine (9) square feet in area and four (4) feet in height if attached to the ground by a pole(s) or other support structure. All ground mounted signs shall be displayed on a permanent sign structure designed consistent with the design of the center or building on which the sign is placed. Wall or window signs shall not exceed two (2) feet by two (2) feet, or a total of four (4) square feet in area. Each sign shall be designed and located in a manner satisfactory to the director. No sign shall be illuminated and no banners are allowed. No other temporary yard signs shall be allowed beyond those allowed by this provision.

F. *Election Periods.* During the period from forty-five (45) days before and seven (7) days after a local, state, or national election, additional temporary signs, not exceeding six (6) square feet in sign area and six (6) feet in height, are allowed on private property in all zones. A sign permit shall not be required for a temporary sign during this period.

~~9655.11. Administration and enforcement.~~

~~A. *Duty to enforce.* The director shall have the duty to enforce the provisions of this part.~~

~~B. *Ambiguity.* Whenever any ambiguity arises as to the interpretation of the provisions of this part. The applicant for a sign permit may request that the planning commission make a determination as to the meaning and application of the ambiguous provisions.~~

~~C. *Modifications to signs standards.* Pursuant to division 6 (section 9676 through 9676.7), the planning commission may approve minor modifications to the regulations relating to the size, height, number, and location of new or existing signs after a public hearing in those cases where an applicant is faced with exceptional circumstances related to the type or location of its business, or is trying to achieve a special design effect. The applicant shall have the burden of proving that:~~

- ~~1. The sign is or will not be detrimental to surrounding uses or properties or the community in general; and~~
- ~~2. The approval of such modification is consistent with the purposes of the general plan and this part, the sign criteria set forth in subsection 9655.54.D and the adopted sign design guidelines.~~

~~Notwithstanding the foregoing, the size or height entitlement of a sign shall not be increased by more than thirty (30) percent.~~

~~D. *Special consideration for additional signs with landscape maintenance agreement.* To avoid conflicts between the visibility of business signs in existing shopping centers and the city's parking lot shade coverage requirements, the~~

FOR REFERENCE ONLY

~~planning commission may approve a modification to an existing sign program or a new sign program for an existing retail center or complex to allow modifications to the size, height, number, and location of monument and/or directory signs if the property owner enters into a landscape maintenance agreement with the city. The landscape maintenance agreement shall among other items, include a provision to ensure that proper tree trimming methods are utilized. All proposed signage shall meet the following criteria:~~

- ~~1. The sign shall not be detrimental to surrounding uses or properties or the community in general; and~~
- ~~2. The approval of such modification shall be consistent with the purposes of the general plan and this part, the sign criteria set forth in subsection 9655.5.4.D and the adopted sign guidelines.~~

~~E. *Removal of unsafe signs.* Any sign that presents an immediate danger to the public health or safety may be removed by the city without prior notice. Alternatively, the director may issue a notice of violation and give the permit holder, property owner, or person in possession and control of the property fifteen (15) days forty-eight (48) hours to cure the violation. In the case of an unsafe sign removed by the city, the costs of such removal and storage shall be borne by the permit holder, property owner, or person in possession and control of the property, as applicable and may be collected by the city in the same manner as it collects any other debt or obligation. No unsafe sign, which has been removed and stored by the city, shall be released until the costs of removal and storage have been paid. If an unsafe sign remains unclaimed for a period of thirty (30) days after notice of removal is sent to the permit holder, property owners, or person in possession and control of the property, it shall be deemed to be unclaimed personal property and disposed of in accordance with the law.~~

~~F. *Removal of illegal signs on public property.* The director shall remove or cause to be removed any temporary sign unlawfully placed or located on public property or in a public right-of-way. The director shall notify the owner of such sign, if such owner is known, that its sign is being held at city hall and that it will be destroyed if not claimed by the owner within ten (10) days after the date of such notice. In the event that the owner does not claim such sign within said ten-day period, the director may destroy or otherwise dispose of such sign.~~

~~G. *Violations.* Violation of this chapter is a misdemeanor unless otherwise charged by the prosecuting attorney as an infraction and shall be punishable as provided in section 1200(b) of the Agoura Hills Municipal Code.~~

~~(Ord. No. 05-330, § 1, 5-11-2005)~~

9655.11. Exempt signs

The following are exempt from the requirement of this section.

- A. Government signs. Government signs include traffic, fire, and police related signs, temporary traffic control signs used during construction, utility facilities and substructure location and identification signs and markers required to protect said facilities, and other signs and markers required by the City of Agoura Hills, the state department of transportation, or any other public agency.
- B. Flags. Flags that meet the following criteria are exempt from the requirements of this Section:
1. A maximum vertical dimension of five (5) feet;
 2. A maximum horizontal dimension of eight (8) feet;
 3. A maximum cumulative square footage of a flags on a parcel of forty (40) feet (one (1) side);
 4. A maximum of one (1) flag pole per developed site; and
 5. A maximum height of thirty-five (35) feet in the commercial, business park, and planned development zones and a maximum height of twenty-five (25) feet in residential and open space-restricted zones. Flag poles are subject to the issuance of a building permit.
- C. Required signs. Official notices required to be posted by law, court, or other government agency.

~~9655.12. Nonconforming signs.~~

~~This section recognizes that the eventual elimination of existing signs (on site and off site) that are not in conformity with the provisions of this chapter is as important as the prohibition of new signs that would violate these regulations.~~

- A. ~~Continuation of nonconforming sign.~~ A legally established sign that does not conform to the provisions of this chapter may continue to be used, except that the sign shall not be:
- ~~1. Structurally altered to extend its useful life;~~
 - ~~2. Expanded, moved, or relocated;~~
 - ~~3. Re-established after a business has been discontinued for sixty (60) days or more; or~~

FOR REFERENCE ONLY

~~4. Re-established after damage or destruction of more than fifty (50) percent of the sign value, as determined by the director.~~

~~B. *Sign copy changes.* The sign copy and sign faces of a nonconforming sign may be changed upon obtaining a sign permit provided that the change does not include a structural change in the display.~~

~~C. *Correction of nonconformities required.* Approval of any structures on a site or a change in the land use on a site shall require that all nonconforming signs on the site be brought into conformity with this chapter.~~

~~D. Within sixty (60) days after the discontinuance of a business a tenant vacancy in any commercial or industrial zone or before a new business occupies the premises, whichever comes first, all nonconforming signs and support structures related to the prior tenant shall be removed. and the wording or advertising relating to the discontinued business shall be removed from all conforming signs. This section shall not be applicable to the assignment, lease or sublease of an existing business, which continues to conduct the same business on the same premises.~~

(Ord. No. 05-330, § 1, 5-11-2005)

9655.12. Administration and enforcement.

A. *Duty to enforce.* The director shall have the duty to enforce the provisions of this part.

B. *Modifications to sign standards.* Pursuant to division 6 (section 9676 through 9676.7), the planning commission may approve minor modifications to the regulations relating to the size, height, number, and location of new or existing signs after a public hearing in those cases where an applicant is faced with exceptional circumstances related to the type or location of its business, or is trying to achieve a special design effect. The applicant shall have the burden of proving that:

1. The sign is or will not be detrimental to surrounding uses or properties or the community in general; and

2. The approval of such modification is consistent with the purposes of the general plan and this part, the sign criteria set forth in subsection 9655.5.D and the adopted sign design guidelines.

Notwithstanding the foregoing, the size or height entitlement of a sign shall not be increased by more than thirty (30) percent.

FOR REFERENCE ONLY

C. Special consideration for additional signs with landscape maintenance agreement. To avoid conflicts between the visibility of signs in existing shopping centers and the city's parking lot shade coverage requirements, the planning commission may approve a modification to an existing sign program or a new sign program for an existing retail center or complex to allow modifications to the size, height, number, and location of monument signs if the property owner enters into a landscape maintenance agreement with the city. The landscape maintenance agreement shall among other items, include a provision to ensure that proper tree trimming methods are utilized. All proposed signage shall meet the following criteria:

1. The sign shall not be detrimental to surrounding uses or properties or the community in general; and
2. The approval of such modification shall be consistent with the purposes of the general plan and this part, the sign criteria set forth in subsection 9655.5.D and the adopted sign guidelines.

D. Removal of unsafe signs. Any sign that presents an immediate danger to the public health or safety may be removed by the city without prior notice. Alternatively, the director may issue a notice of violation and give the permit holder, property owner, or person in possession and control of the property forty-eight (48) hours to cure the violation. In the case of an unsafe sign removed by the city, the costs of such removal and storage shall be borne by the permit holder, property owner, or person in possession and control of the property, as applicable and may be collected by the city in the same manner as it collects any other debt or obligation. No unsafe sign, which has been removed and stored by the city, shall be released until the costs of removal and storage have been paid. If an unsafe sign remains unclaimed for a period of thirty (30) days after notice of removal is sent to the permit holder, property owners, or person in possession and control of the property, it shall be deemed to be unclaimed personal property and disposed of in accordance with the law.

E. Removal of illegal signs on public property. The director shall remove or cause to be removed any sign unlawfully placed or located on public property or in a public right-of-way. The director shall notify the owner of such sign, if such owner is known, that its sign is being held at city hall and that it will be destroyed if not claimed by the owner within ten (10) days after the date of such notice. In the event that the owner does not claim such sign within said ten-day period, the director may destroy or otherwise dispose of such sign.

F. Violations. Violation of this chapter is a misdemeanor unless otherwise charged by the prosecuting attorney as an infraction and shall be punishable as provided in section 1200(b) of the Agoura Hills Municipal Code.

9655.13. Nonconforming signs.

This section recognizes that the eventual elimination of existing signs that are not in conformity with the provisions of this chapter is as important as the prohibition of new signs that would violate these regulations.

A. Continuation of nonconforming sign. A legally established sign that does not conform to the provisions of this chapter may continue to be used, except that the sign shall not be:

1. Structurally altered to extend its useful life;
2. Expanded, moved, or relocated;
3. Re-established after a business has been discontinued for sixty (60) days or more; or
4. Re-established after damage or destruction of more than fifty (50) percent of the sign value, as determined by the director.

B. Sign copy changes. The sign copy and sign faces of a nonconforming sign may be changed upon obtaining a sign permit provided that the change does not include a structural change in the display.

C. Correction of nonconformities required. Approval of any structures on a site or a change in the land use on a site shall require that all nonconforming signs on the site be brought into conformity with this chapter.

D. Within sixty (60) days after a tenant vacancy in any commercial or industrial zone, all signs and support structures related to the prior tenant shall be removed.

9655.13 14 Appeal of approval or denial of sign permit.

A. Any person seeking to appeal any decision of the director or planning commission must file a written notice of appeal with the city clerk and pay the applicable appeal fee established by city council resolution no later than fifteen (15) days after the date of the notice of the decision. The appeal notice shall state, with specificity, the factual and legal basis of the appeal. The city clerk shall expeditiously schedule a hearing before the city council and notify the appellant, in writing, of the day, time and location of the hearing, which shall be held not later than thirty (30) days after the notice of appeal is received by the city; provided, however, the hearing may be held after such thirty-day period upon the request or concurrence of the appellant. The time for compliance of any original order shall be stayed during the pendency of the hearing before the city council.

FOR REFERENCE ONLY

- B. The city council or planning commission shall provide the appellant with a written decision within ten (10) working days of the conclusion of the hearing. In the event any such sign approval, denial or revocation, or remediation or removal order is upheld by the city council, the approval, denial, revocation or order shall be effective on the date of the action by the city council, and that action shall be final and conclusive.

~~(Ord. No. 05-330, § 1, 5-11-2005)~~

EXHIBIT E

SIGN PHOTOGRAPHS

MONUMENT SIGNS



DIRECTIONAL SIGNS



CHANGEABLE COPY SIGNS



Used at gas station

CHANGEABLE COPY SIGNS



At drive thru lane

PERMANENT WINDOW SIGNS



TEMPORARY WINDOW SIGNS



YARD SIGNS IN RESIDENTIAL ZONES



Example: Used for real estate advertising



YARD SIGNS IN COMMERCIAL ZONES

Example:

**Used for
construction
identification**



COMMERCIAL AND INDUSTRIAL REAL ESTATE MARKETING PERIOD



NEW TENANCY PERIODS

Banners



CHARITABLE OR COMMUNITY EVENTS SIGN OR BANNER



ELECTION PERIODS



FLAGS

