AGENDIZED ITEMS – The public is entitled to address the Committee on items appearing on the agenda before or during the Committee’s consideration of that item. Each speaker will be limited to approximately three minutes.

1. ROLL CALL

2. PUBLIC COMMENT PERIOD

3. REPORTS

4. ADJOURNMENT

ADA NOTICE AND HEARING IMPAIRED PROVISIONS
In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3031, at least five days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

Distribution: City Council
Valerie Barone, City Manager
Susanne Brown, City Attorney
Kathleen Trepa, Assistant City Manager
Joelle Fockler, City Clerk
Staff Report

Date: June 17, 2019
To: Council Committee on Housing & Economic Development
From: Valerie J. Barone, City Manager
Reviewed by: Andrea Ouse, Community and Economic Development Director
Prepared by: Mindy Gentry, Planning Manager
Mindy.gentry@cityofconcord.org
(925) 671-3369
Subject: Discussion of permissibility and permitting processes for signage and outdoor sales and displays for businesses without street visibility

Report in Brief
As part of the Housing and Economic Development Committee (HED) and City Council discussion on retail revitalization, the HED Committee, at its April 8, 2019 meeting, directed staff to follow up and report back on; 1) exploring the provision for more visible signage for commercial tenants without direct street frontage; and, 2) exploring the provision of outdoor merchandise displays for a longer term for commercial tenants without street visibility as a pilot program that expires after one year.

There are existing regulations in the Concord Municipal Code (CMC) to address permanent and temporary signage as well as the long term and temporary outdoor display of merchandise. The purpose of this discussion is to determine if any changes are necessary to the CMC to address possible opportunities for outdoor sales and displays and signage for commercial businesses that lack street visibility.

Recommended Action
Discuss permissibility and permitting process for signage and outdoor sales and displays for businesses without street visibility and provide staff with direction.
Background
At its April 8, 2019, meeting, the HED Committee received an update from the Police Department’s Code Enforcement Unit regarding the Retail Engagement Program. Following the Committee’s discussion, direction was provided to staff to follow up and report back on specific items, including: 1) exploring the provision for more visible signage for commercial tenants without direct street frontage; and, 2) exploring the provision of outdoor merchandise displays for a longer term for commercial tenants without street visibility as a pilot program that expires after a year.

Analysis
Staff understands the Committee’s direction to explore and evaluate possibilities for the City’s regulations to be inherently more flexible and business friendly regarding signage and for the outdoor display of merchandise for businesses lacking street visibility. Based on this direction, staff will be presenting options for consideration during the Committee meeting, including highlighting the benefits and the possible drawbacks of the various alternatives. For the purposes of facilitating the Committee’s discussion and to establish an understanding of the current code provisions, below is a discussion of the existing regulatory framework pertaining to long term as well as temporary requirements for both signage and outdoor sales and displays of merchandise.

Signage Regulations
CMC Section 18.180 outlines the existing citywide signage regulations, including directory signs, sign programs, master sign programs, prohibited signs, and temporary signs (Attachment 1). These sign categories are the most relevant and will be the focus of the staff report given the Committee’s discussion of enhancing visibility for retail spaces that lack street frontage.

Directory Signs: A directory sign is defined as, “a freestanding or wall sign that identifies all businesses located within a commercial building, a shopping center, an industrial building, or an institutional establishment." Further, the CMC provides the following specific requirements for directory signs: 1) one attached directory sign is permitted per building frontage and 2) small freestanding directory signs, less than 30 inches in height and no more than four square feet in area, are allowed and are not included in the total signage allowance for a property; however larger signs are counted towards allowed signage maximums. Directory signs are critical for those businesses that are set back and do not have direct street frontage or street visibility (Attachment 2).

Sign Plans: A sign plan is required for sites with two to five signs, unless a master sign program is required. The purpose of the sign plan is to ensure that the placement, design, materials, size, and other features of all signs are consistent and comply with the design standards. Sign plans can have directory signs incorporated, including freestanding or wall signs for shopping centers or multitenant buildings for businesses that lack street visibility.
Master Sign Programs (MSP): MSPs are required for any multi-tenant center with six or more separate tenant spaces that share the same parcel, building or structure, or use common access and parking facilities, public spaces, and landscaping, such as multi-tenant shopping centers. In addition, major rehabilitation or additions to existing nonresidential projects of five or more tenants, requires approval of an MSP. MSPs are intended to allow for and encourage flexibility and creativity as well as to integrate all signs into a project’s design to achieve a unified architectural statement. Further, a MSP may allow deviations from the requirements of the CMC.

Older shopping centers that were constructed prior to the City requiring a sign plan or an MSP, are required to submit one for review and approval prior to construction, use or alteration of any building, or sign.

Permissibility: Freestanding and wall signs, including directory signs, are allowed in all commercial, office, and industrial zoning districts, as well as the commercial uses in the North Todos Santos district. The allowances vary by zoning district and the number of tenants within a building (single vs. multiple) with respect to sign size and cumulative signage. The table below illustrates the allowable sign area by sign type, as well as cumulative signage for all commercial and industrial zoning districts.

<table>
<thead>
<tr>
<th>District/Use Type</th>
<th>Sign Types Allowed</th>
<th>Sign Area Determination Minimum/Maximum</th>
<th>Maximum Height</th>
<th>Maximum Cumulative Signage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>North Todos Santos District</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Wall</td>
<td>12 sf</td>
<td>NA</td>
<td>12 sf</td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td></td>
<td>5 ft.</td>
<td></td>
</tr>
<tr>
<td><strong>Commercial and Downtown Districts</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Community Office District</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Tenant</td>
<td>Wall</td>
<td>8 sf</td>
<td></td>
<td>8 sf</td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td>1 allowed</td>
<td>5 ft.</td>
<td></td>
</tr>
<tr>
<td>Multi-tenant</td>
<td>Wall</td>
<td>4 sf/tenant</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wall</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Building</td>
<td>8 sf</td>
<td>NA</td>
<td>max. 28 sf</td>
</tr>
<tr>
<td>District/Use Type</td>
<td>Sign Types Allowed</td>
<td>Sign Area Determination Minimum/Maximum</td>
<td>Maximum Height</td>
<td>Maximum Cumulative Signage</td>
</tr>
<tr>
<td>-------------------</td>
<td>--------------------</td>
<td>-----------------------------------------</td>
<td>----------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Commercial Mixed-Use (CMX), Neighborhood Commercial (NC), Service Commercial (SC), Regional Commercial (RC), Downtown Pedestrian (DP)</td>
<td>Freestanding Building Identification</td>
<td>1 allowed</td>
<td>5 ft.</td>
<td></td>
</tr>
<tr>
<td>Commercial Mixed-Use (CMX), Neighborhood Commercial (NC), Service Commercial (SC), Regional Commercial (RC), Downtown Pedestrian (DP)</td>
<td>Freestanding Wall Identification</td>
<td>1 sf: lf building frontage; no sign shall be required to be less than 20 sf</td>
<td>max. 150 sf</td>
<td></td>
</tr>
<tr>
<td>Commercial Mixed-Use (DMX), West Concord Mixed-Use (WMX)</td>
<td>Commercial Mixed-Use (DMX), West Concord Mixed-Use (WMX)</td>
<td>Freestanding Wall Identification</td>
<td>30 sf, 1 per frontage</td>
<td>6 ft.</td>
</tr>
<tr>
<td></td>
<td>Commercial Mixed-Use (DMX), West Concord Mixed-Use (WMX)</td>
<td>Freestanding Wall Identification</td>
<td>1 sf: lf building frontage plus 1 sf:100 sf floor area; or a maximum of 15 percent of any wall surface area; no sign shall be required to be less than 20 sf</td>
<td>max. 300 sf</td>
</tr>
<tr>
<td></td>
<td>Commercial Mixed-Use (DMX), West Concord Mixed-Use (WMX)</td>
<td>Suspended Wall Identification</td>
<td>5 sf</td>
<td>NA</td>
</tr>
<tr>
<td></td>
<td>Commercial Mixed-Use (DMX), West Concord Mixed-Use (WMX)</td>
<td>Freestanding Wall Identification</td>
<td>max. 30 sf</td>
<td>6 ft.</td>
</tr>
<tr>
<td>Business Park and Industrial Districts</td>
<td>Business Park and Industrial Districts</td>
<td>Building Identification Wall Identification</td>
<td>8 sf</td>
<td>NA</td>
</tr>
</tbody>
</table>
Committee Report  
Agenda Item No. 3.a  
June 17, 2019

<table>
<thead>
<tr>
<th>District/Use Type</th>
<th>Sign Types Allowed</th>
<th>Sign Area Determination Minimum/Maximum</th>
<th>Maximum Height</th>
<th>Maximum Cumulative Signage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single tenant</td>
<td>Wall</td>
<td>0.5 sf:lf bldg frontage or three percent of the wall surface</td>
<td>NA</td>
<td>150 sf</td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td>max. 20 sf, 1 allowed</td>
<td>5 ft.</td>
<td></td>
</tr>
<tr>
<td>Multiple tenant</td>
<td>Wall</td>
<td>Per sign program max. 2</td>
<td>NA</td>
<td>100 sf or as determined by MSP</td>
</tr>
<tr>
<td></td>
<td>Awning</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tenant Identification</td>
<td>3 sf</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td>max. 20 sf one allowed</td>
<td>5 ft.</td>
<td></td>
</tr>
</tbody>
</table>

**Prohibited and Temporary Signs:** The CMC, pursuant to Section 8.180.080.O prohibits temporary and portable signs including: flags, inflatable balloon objects, pennants and streamers, and portable signs including flags, feather signs, and A-frame signs. There are certain exceptions for temporary signage - discussed in more detail below - such as A-frame signs for sidewalk cafes in the downtown, banner signs for 30 days, inflatable or balloon signs at new automobile dealerships, and off-site and on-site subdivision signs.

CMC Section 18.180.120 allows for temporary signage pursuant to an administrative permit (temporary sign permit) prior to their display. Temporary signs also include commercial signs for grand openings or for special product, sale or event advertising. Banner signs are allowed for a maximum period of 30 days with no other temporary signs permitted within 150 days of such removal.

**Outdoor Sales and Displays – Long Term**
The CMC currently allows, in a limited capacity, long term outdoor sales and displays for the following land uses: 1) Building Materials Sales and Service with Outdoor Storage and 2) Nursery, Garden Center in various commercial zoning districts. These two land uses are considered to have primarily the display of merchandise outdoors due to the characteristic of the products; however, General Retail land uses also include outdoor sales as an ancillary use. If an outdoor sales and display area is requested by a General Retailer, a design review application would be required to be submitted.
because outdoor sales and displays are subjected to certain locational criteria, setbacks, screening, and signage requirements (Attachment 3):

1. Locational Criteria – The outdoor sales and display area must be related to a physical business and the merchandise shall occupy a fixed and defined area that does not disrupt the normal function of the site or its circulation and does not encroach upon parking spaces, driveways, walkways, or landscaped areas.

2. Setbacks – Outdoor sales and display areas shall not encroach into required setback areas and in zoning districts where no setback is required, the outdoor sales area shall be setback a minimum of 15 feet from adjoining property lines.

3. Screening – All outdoor sales and display areas shall be screened by an eight foot-wall and the height of the merchandise cannot exceed the height of the screening wall or fence.

4. Signage – Additional signs, beyond those normally allowed for the use, shall not be permitted to identify the outdoor sales and display areas.

Outdoor Sales and Displays - Temporary
The CMC also provides provisions for temporary uses – meaning a land use that is designed, operated, and occupies a site for a limited time, typically less than 12 months – such as sales and promotional activities intended to serve commercial interests, seasonal activities, and other similar temporary activities and uses. The type of temporary use requested determines if a permit is required or the level of permit required. There are three levels of approval for temporary uses: 1) exempt temporary uses, 2) minor temporary uses, and 3) major temporary uses.

Exempt temporary uses include emergency facilities, garage sales and City authorized activities on City-owned property. Minor temporary uses, which require a zoning clearance, include minor promotional events, construction yards, real estate sales offices, temporary work trailers, and unattended temporary donation bins. Major temporary uses include carnivals, location filming, major promotional events, seasonal holiday sales, and outdoor sales and displays, amongst others. These major temporary uses require an administrative permit with certain findings to be made in order to grant approval the permit. Outdoor sales and displays are further subjected to certain criteria and standards (Attachment 4):

1) Merchandise must be in close proximity to the primary structure where items are sold indoors,

2) Merchandise must be displayed in a planned and orderly manner,

3) Merchandise displays cannot interfere with neighboring businesses,
4) Displays occupy a fixed and defined location that does not disrupt pedestrian traffic or obstruct access to parking areas or driveways, or encroach into landscape areas,

5) Display fixtures are of good quality and durable materials,

6) Displays cannot exceed eight feet in height, and

7) Displays are removed during nonbusiness hours.

Lastly, outdoor sales and displays have to be associated with a permanent on-site use and may occur in non-residential districts for 30 consecutive days within a 12-month period.

**Financial Impact**
The direction provided by the HED Committee to staff will have a negligible fiscal impact to the City. However, staff time and a reprioritization of the CED Work Program will be necessary to prepare any code amendments.

**Public Contact**
The Agenda was posted and provided to the Chamber of Commerce, Todos Santos Business Association, and other interested parties.

**Attachments**

1. CMC Section 18.180 - Signs
2. Photographs of Multi-Tenant Shopping Center Signage
3. CMC Section 18.200.160 – Outdoor Sales and Displays
4. CMC Section 18.200.200 – Temporary Uses and Structures
Chapter 18.180
SIGNS

Sections:

18.180.010 Purpose.
18.180.020 Applicability.
18.180.030 Building permit and sign plan or master sign program required.
18.180.050 Sign plans.
18.180.060 Master sign programs.
18.180.070 Exempt signs.
18.180.080 Prohibited signs.
18.180.090 General requirements for all permanent signs.
18.180.100 Sign regulations by zoning district.
18.180.110 Sign regulations for specific uses.
18.180.120 Temporary signs.
18.180.130 Standards for specific sign types.
18.180.140 Design standards for signs.
18.180.150 Nonconforming and abandoned signs.
18.180.160 Violations and penalties.

18.180.010 Purpose.

The purpose of this chapter is to regulate the placement, type, size, number, design and maintenance of signs allowed in the city in order to promote and enhance the aesthetic qualities of the city, and to provide minimum standards to safeguard life, health, property and public welfare. These regulations are adopted consistent with the requirements of California Government Code Section 65000 et seq. and Sections 38774, 38775 and 65850(b), Business and Professions Code Sections 5200 and 5490 et seq., Civil Code Section 713, and other applicable state laws. [Ord. 12-4. DC 2012 § 122-532].

18.180.020 Applicability.

A. The requirements of this chapter shall apply to all signs in all zoning districts.

B. The provisions of this chapter do not regulate the message content of a sign (sign copy), regardless of whether the message content is commercial or noncommercial.

C. Terms used in this chapter are defined in CDC 18.20.030 (Definitions) under the subheading “Sign-Related Terms.” [Ord. 12-4. DC 2012 § 122-533].

18.180.030 Building permit and sign plan or master sign program required.

No sign shall be constructed, installed, or modified, unless a building permit and sign program or
master sign program has been approved in compliance with this chapter or the sign is exempt from
the permit requirements under CDC 18.180.070 (Exempt signs).

A. A building permit for a sign shall constitute a sign permit, if a building permit is required. If a
building permit is not required and the sign is not exempt from the permit requirements of this chapter,
design and site review shall be required.

B. Compliance with Standards and Permit Required. No building permit for a sign shall be approved
for an existing or proposed sign unless the sign is in compliance with all applicable requirements of
this chapter. All signs shall comply with any approved sign plan or master sign program. After
approval of a permit each sign shall comply with the permit. [Ord. 13-5; Ord. 12-4. DC 2012 § 122-
534].


The review authority for sign plans and master sign programs shall be as follows:

A. Design and site review approval shall be required for all sign plans and master sign programs.

B. The planning division shall be the review authority for all signs, sign plans, and master sign
programs, except to the extent a conditional use permit is required pursuant to CDC 18.180.060(A)(3)
in which case the review authority shall be either the planning commission or city council under
subsection (F) of this section.

C. The planning division may approve a sign plan with a total of 25 percent more sign area than
required by this section when the planning division finds that the additional sign area is appropriate,
results in an improved design, and is in accordance with the design criteria in CDC 18.180.140.

D. The planning division may approve master sign programs with up to a 25 percent deviation from
the requirements in this chapter, including total sign area allowed, size, height, number of signs and
sign locations, after finding that the deviations result in an improved design.

E. The planning division or design review board may refer any master sign program with or without
deviations from the requirements of this chapter to the planning commission for a decision.

F. The planning division shall refer any master sign program to the planning commission when it is
associated with another planning permit that requires review and approval by the planning commission
and to the city council when it is associated with another planning permit that requires review and
approval by the city council.

G. The review authority may require conditions of approval that are reasonable and necessary to
achieve the purposes of this chapter. [Ord. 16-6 § 1 (Exh. A); Ord. 13-5; Ord. 12-4. DC 2012 § 122-
535].
18.180.050 Sign plans.

A sign plan shall be required for sites with two to five signs, unless a master sign program is required by this chapter. The purpose of the sign plan is to ensure that the placement, design, materials, size, and other features of all signs on a single site, center, or similar development with multiple parcels are consistent and comply with the design standards (CDC 18.180.140) in this chapter and any city approved design guidelines. The sign plan may be approved administratively, with or without review by the design review board, as appropriate. The information submitted with an application for a sign plan shall be detailed enough to identify the location, size, and type of all existing and future signage. The application shall be accompanied by the information identified in the sign plan application checklist, on file with the planning division, and all applicable fees in accordance with the city’s fee schedule. [Ord. 13-5; Ord. 12-4. DC 2012 § 122-536].

18.180.060 Master sign programs.

A master sign program (MSP) shall be required for any business or site with six or more signs. An MSP shall be required as described in subsections (A)(1) through (6) of this section. The purpose of an MSP is to integrate all signs into a project’s design to achieve a unified architectural statement. An MSP provides a means for the flexible application of sign regulations for sites with multiple signs and multi-tenant projects in order to encourage creativity and provide incentives to achieve, not circumvent, the intent of this chapter. Any aspect of proposed signage that is not addressed in the MSP shall be in compliance with this chapter.

A. Required. A master sign program shall be required for all of the following:

1. Multi-tenant centers, buildings, or developments with six or more separate tenant spaces that share the same parcel, building or structure, or use common access and parking facilities, public spaces, and landscaping, such as multi-tenant commercial and office buildings, shopping centers, office parks, and mixed-use developments;

2. Major rehabilitation or additions to existing nonresidential projects with five or more tenants, that involve construction or renovation of more than 25,000 square feet or 50 percent or more of the exterior of the building, or 25 percent of the existing signs on the site within a 12-month period, whichever is less. For the purposes of this chapter, major rehabilitation means adding or remodeling 50 percent of the gross floor area of the structures, or exterior redesign of more than 25 percent of any facade within the project;

3. Pylon Signs. An applicant that seeks approval of a master sign program that includes any freeway oriented pylon sign(s) shall obtain approval of a use permit for said master sign program by the planning commission (or the city council pursuant to CDC 18.180.040(F)). Pylon sign(s) may only be permitted if all of the following findings are made:
a. The general findings under CDC 18.435.060.

b. The pylon sign(s) must be part of a master sign program under subsection (A)(1) of this section.

c. The pylon sign(s) must serve a multi-tenant regional retail center development (with three or more separate tenant spaces) that consists of a minimum of 300,000 square feet of retail and similar commercial uses directly abutting Interstate 680.

d. The pylon sign(s) satisfy the definition of “pylon sign” under CDC 18.20.030 (Definitions) under “Sign-Related Terms.”

e. The pylon sign(s) are of appropriate size, scale, and design for the area in which it will be located.

f. The pylon sign(s) are of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.

g. The pylon sign(s) will not contribute to significant visual blight or clutter, and will not significantly degrade the visual quality of the area in which it will be located.

h. There shall be no more than one pylon sign per each 400 feet of freeway frontage, taking into account the total freeway frontage of all parcels within the multi-tenant regional retail center development where the pylon sign(s) will be located; if this calculation results in less than a whole number then numbers shall be rounded down (e.g., 1,560 feet divided by 400 feet = 3.9, then only three pylon signs would be allowed).

i. No pylon sign(s) shall significantly impair public safety.

j. Any pylon sign may only be used to advertise the name of the business, type of business, or product manufactured, presented or sold on the premises by such person, firm, or corporation occupying the multi-tenant regional retail center development where the pylon sign(s) are located, and, upon advance written demand of the city, and to the extent allowed by law, to publicize city-run or city-sponsored events (or certain designated partners) and/or disseminate city of Concord news, traffic/safety/security announcements, and similar civic information and public service announcements.

k. The pylon sign(s) shall satisfy applicable requirements of the Outdoor Advertising Act (Business and Professions Code Sections 5200 through 5486, inclusive), as amended from time to time.

l. The pylon sign(s) shall satisfy applicable California Department of Transportation standards for freeway-oriented signs, as amended from time to time.
m. No pylon sign shall violate the provisions of CDC 18.180.080 (Prohibited signs).

n. The pylon sign(s) approved as part of the master sign program shall be built in a perpendicular manner (as is feasible based on site constraints in order to best maximize sign visibility) to the freeway and shall not be required to face any other public streets.

o. The parties (city and pylon sign applicant) shall have executed a license agreement addressing the terms and conditions of any approved electronic message display signs, including but not limited to message cycling, light intensity, and one-time license fees to be paid to the city. The terms and conditions of such license agreement are subject to the approval of the city manager and the city attorney, with the final agreement to be submitted to the city council for consideration;

4. Freeway-oriented wall signs that meet the standards under CDC 18.180.130 (Standards for specific sign types);

5. When the planning division determines that a master sign program shall be required for a project due to special circumstances (e.g., the number or size of signs proposed, size or location of the project, or constrained visibility of the site relative to freeways, etc.);

6. A master sign program shall not be required for multi-tenant office buildings or business park developments where the proposed signage is limited to building identification signs and tenant identification signs as permitted in Table 18.180.110.

B. Required Information. An application for an MSP shall include an explanation of all modifications to the standards or regulations required by this chapter, along with an explanation describing how these modifications would result in a superior design. A master sign program shall include all of the following:

1. Detailed text describing all permitted tenant signs, including the location, type, and size of signs for each frontage type; and center identification signs;

2. Drawings showing all of the permitted options for the type and placement of each sign indicating the font style, letter size, colors, materials, and method of construction;

3. Provisions for logos;

4. Methods of illumination;

5. Materials;

6. Construction details; and
7. Criteria for tenants and approval process for future signs.

C. Consideration. A master sign program shall be evaluated based upon the following criteria:

1. Placement. All signs shall be placed where they are sufficiently visible and readable for their function. Consideration shall be given to the purpose of the signs, the sign locations relative to traffic movement and access points, site features, structures, and sign orientation relative to viewing distances and viewing angles. In commercial centers where some tenants have little or no street visibility, wall signs may be allowed on walls of the building that are not directly over the space occupied by those tenants.

2. Quantity. The number of signs within any development shall be no greater than that required to provide project identification, business identification, entry signs, and directional and informational signs for internal circulation and access. Consideration shall be given to the size of the development, the layout of the site, and the hierarchy of signs.

3. Size. Signs shall not be larger than necessary for visibility and readability. Considerations for determining appropriate size shall include topography, volume and speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style, and the presence of distractive influences.

4. Materials. Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style or copy.

5. Illumination. Illumination shall be in conformance with this chapter.

6. Context. All MSPs shall respect the context of the surrounding area and the character established by the proposed signage. Consideration shall be given to lettering style, sign placement, lighting, and architectural style.

D. Lessees to Be Informed of Master Sign Program. The MSP requirements and the tenant’s responsibility to comply with the approved MSP shall be incorporated into all tenant leases. [Ord. 16-6 § 1 (Exh. A); Ord. 13-5; Ord. 12-4. DC 2012 § 122-537].

18.180.070 Exempt signs.

The following signs are allowed without a permit or master sign program, provided they meet the requirements of this chapter, CDC 18.180.090 (General requirements for all permanent signs) and all other applicable permit requirements (e.g., building, electrical, plumbing, grading, encroachment).

A. Exempt Signs with No Limitations.
1. Governmental or Other Regulatory Signs. Signs primarily installed by the city, county, state, or federal governmental agency including:

   a. Directional, warning, or informational signs or structures required or authorized by the city, including official traffic and directional signs; and construction zone signs;

   b. Emergency warning signs;

   c. Signs showing the location of public or quasi-public facilities;

   d. Signs placed by a governmental agency for the purpose of announcing events or transmitting community information; and

   e. Legal notices, licenses, permits, posting, or similar signs placed by, or required by, a governmental agency for the purpose of protecting the public health, safety, and general welfare of the city.

2. Historical Markers. Identification signs, tablets and plaques, installed by the city or local historical organization, including names and dates of buildings, consistent with the building code or other provisions of the Concord Municipal Code or development code;

3. Lottery Signs. Signs and advertising for the California state lottery as authorized by California Government Code Section 8880 et seq.;

4. Street address signs; and

5. Utility Signs. Noncommercial utility company signs identifying cables and conduits.

B. Exempt Signs with Limitations. The following signs are allowed without a permit or master sign program, provided they meet the following size, height, duration, and/or other limitations, and meet any applicable requirements of this chapter, CDC 18.180.090 (General requirements for all permanent signs) and any other applicable permit requirements (e.g., building, electrical, plumbing, grading, encroachment):

   1. Construction Signs. Signs on property undergoing construction or remodeling as follows:

      a. In single-family or low density residential districts, a maximum of 12 square feet.

      b. In all other districts, a maximum of 40 square feet.

   2. Such signs shall be removed within 30 days of the first of the following events: final building inspection; issuance of a certificate of occupancy; opening for business to the public; or expiration of the building permit. Such signs shall not be illuminated.
3. Directional Signs. On-site directional signs, such as exit, entrance, or other on-site traffic directional signs, as follows:

   a. The maximum height shall be four feet;

   b. The maximum size shall be six square feet;

   c. No identification, advertising, or message other than for traffic direction shall be displayed; and

   d. No more than one sign per entryway.

4. Political Signs. Notwithstanding anything to the contrary contained in this chapter, the following provisions shall apply only to political signs erected out-of-doors. With the exception of this subsection, nothing in this chapter shall apply to the regulation of political signs.

   a. Placement.

      i. No political sign shall be erected or maintained within the public right-of-way or upon any public property.

      ii. No political sign shall be attached to any utility pole, public fence, tree, or any other post or object located in a public right-of-way.

      iii. No political sign shall be erected in such a manner that it will, or reasonably may be expected to, obstruct the view of or conflict with any traffic sign, signal, or device. A political sign shall not be erected in such a manner that it will, or reasonably may be expected to, obstruct the view of pedestrian or vehicular traffic.

      iv. No political sign shall be erected or maintained upon the property of another without first obtaining permission to do so from the owner or tenant of said property.

      v. No political sign exceeding 32 square feet shall be erected or posted without first obtaining a no-fee building permit. Signs which, exclusive of supports, are made entirely of paper and/or cardboard not exceeding one-quarter inch in thickness are exempt from this requirement.

      vi. It shall be unlawful and in violation of this section to deface, remove, alter, make additions to, or conceal a political sign without the consent of the candidate or, in the case of ballot measures, the sponsor of the particular ballot measure.

   b. Removal.
i. Political signs shall be removed within 10 days after the election to which they relate. Political signs placed on behalf of candidates who have been successful in primary elections shall not remain posted for general election purposes.

ii. Removal of a political sign not posted in accordance with provisions of this section shall be the responsibility of the owner of the property upon which the sign is located.

iii. Political signs posted on public property or in the public right-of-way may be removed summarily by the building official or his designated representative.

iv. Signs removed during the election period shall be stored in the city corporation yard and may be destroyed by the city if not claimed within 15 days from the date notice is given to the candidate, candidate’s committee, or ballot measure committee that said signs have been removed. Any person claiming a sign so removed within the 15-day period shall be subject to a fee for the cost of removal and storage as may be established in the master fees and charges resolution for various municipal services.

v. Political signs on vacant parcels remaining more than 10 days after the election to which they relate shall be deemed abandoned and may be summarily removed and disposed of by the building official.

vi. Signs in violation of this section are subject to removal from private property by the building official with the prior consent of the property owner. A service charge shall be billed to the property owner for each occasion when the city removes a sign, as set forth in the city’s fee schedule.

vii. A reinspection fee, as set forth in the city’s fee schedule, shall be charged to the property owner for each billable occasion subsequent to the mailing or delivery of the original violation notice when a reinspection is made which reveals the continued existence of a violation on the parcel. A billable occasion exists when six or more calendar days have elapsed since the most recent inspection. A reinspection fee shall not be charged when a removal service charge has been paid.

c. The provisions of this section shall not apply to:

i. Political signs placed inside a building; or

ii. Political signs posted by a person or corporation licensed to erect and maintain commercial outdoor advertising signs and billboards; provided, that the sign or signs as posted are in a location and manner authorized or permitted under the provisions of the development code.
d. Violations – Penalties. Any person violating this section shall be guilty of an infraction and, if convicted of such infraction, shall be punishable by: (i) a fine not to exceed $100.00 for the first violation; (ii) a fine not to exceed $200.00 for the second violation within one year; and (iii) a fine not to exceed $500.00 for each additional violation within one year.

5. Real Estate Signs. Signs for sale, lease, or rental of subject property, for up to 30 days, as follows:

a. In single-family residential districts, one sign not exceeding four square feet. On weekends and holidays, signs to direct traffic to the subject property are allowed with a maximum of one sign per intersection. All signs shall be located outside the public right-of-way. The sign shall not be illuminated and no sign shall be left standing overnight.

b. In multifamily residential districts, one sign not exceeding 12 square feet.

c. In commercial, office, industrial, and mixed-use districts, one sign not exceeding 32 square feet. [Ord. 13-5; Ord. 12-4. DC 2012 § 122-538].

18.180.080 Prohibited signs.

The following types and locations of signs or advertising devices are prohibited, except where exempted by CDC 18.180.120, Temporary signs, or allowed by Table 18.180.110:

A. Abandoned signs;

B. Any sign not specifically in accordance with the provisions of this chapter;

C. Animated and moving signs, including human-powered signs, electronic message display signs (except to the extent permitted in connection with freeway oriented pylon sign(s) as part of a master sign program), and variable intensity, blinking, or flashing signs that emit a varying intensity of light or color, except for public service signs, such as time-temperature displays (which are not considered signs), and barber poles;

D. Brilliant Lights. Any sign with brilliant lighting that conflicts or interferes with traffic, both vehicular and pedestrian, from a public safety standpoint or affects adjacent properties, because of shape, design, color, or reflected light;

E. Exposed Raceways. Individual letters mounted on an exposed electrical raceway instead of being mounted directly on a building wall or with the raceway designed to be hidden by the design of the sign;

F. Fences. Signs attached to fences;

G. Freeway oriented signs, as follows:
1. The construction, relocation, or maintenance of off-premises freestanding signs within 660 feet, zero inches of any freeway is hereby prohibited, unless otherwise provided by the provisions of the Outdoor Advertising Act (Business and Professions Code Sections 5200 through 5486, inclusive).

2. The provisions of this subsection shall not apply to signs for any business or building that is located within 660 feet of any freeway; provided, that such signs conform to the requirements of Business and Professions Code Section 5405(a) (the Outdoor Advertising Act), and are oriented to the local street system and not to be viewed primarily from the freeway (except to the extent located at a multi-tenant regional retail center development (with three or more separate tenant spaces) that consists of a minimum of 300,000 square feet directly abutting Interstate 680 and approved as part of a master sign program, in which case both pylon sign(s) and wall sign(s) on the exterior facade(s) of buildings may be freeway oriented); and further provided, that the sign(s) are limited to the name of the business, type of business, or product manufactured, presented or sold on the premises by such person, firm, or corporation occupying the building or site where the sign(s) are located; or a sign not exceeding six square feet pertaining only to the lease, hire, sale, or display of the building or premises where the sign is located; or a pylon sign(s) and/or wall sign(s) approved as part of a master sign program pursuant to CDC 18.180.060;

H. Light Standards. Signs attached to light standards, unless part of a master sign program;

I. Obscene Matter. Any advertising structure or sign, with any statement or words of an obscene, indecent, or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or which is of indecent or immoral character;

J. Off-site signs, except as otherwise permitted, including:

1. Billboards or other outdoor advertising structures; or

2. Signs affixed to vehicles or trailers that advertise or promote a business that are not parked in areas provided for vehicle storage, or are not parked adjacent to the business, or are parked in parking lots longer than necessary;

K. Pole signs;

L. Public Rights-of-Way. Signs placed in public rights-of-way or affixed to an element or structure in the public rights-of-way, or on a publicly owned tree, fence, utility pole or otherwise posted on public property, except where required by a governmental agency as allowed in CDC 18.180.070;

M. Rapid Transit Right-of-Way. Signs in rapid transit right-of-way or oriented strictly towards the rapid
transit rights-of-way;

N. Roof Signs. Signs painted or mounted on roofs or placed above the roofline (except as specifically allowed in this chapter);

O. Temporary and portable signs, except as specifically allowed in this chapter, including the following:

1. Flags;

2. Inflatable balloon objects, animals, or signs, including balloon strings, and other devices made of a flexible material and filled with air;

3. Pennants and streamers, except in conjunction with an athletic event, or approved carnival, circus, or fair; or

4. Portable signs, including flags, feather signs, and A-frame signs, except real estate signs;

P. All on-site or off-site commercial signs advertising or depicting any paraphernalia, prohibited substances, cannabis products, cannabis uses (including but not limited to personal and commercial cultivation, manufacturer, testing laboratory, retailer, distributor, microbusiness, delivery), and/or any other uses or activities for which the state of California issues cannabis licenses are prohibited; and

Q. All commercial signs advertising or depicting any use or activity which is prohibited by local, state, or federal law. [Ord. 18-3 § 7 (Exh. A); Ord. 17-13 § 3 (Exh. A); Ord. 16-6 § 1 (Exh. A); Ord. 13-5; Ord. 12-4. DC 2012 § 122-539].

18.180.090 General requirements for all permanent signs.

A. Sign Area Measurement. The measurement of sign area shall be computed by multiplying the height times the length of the cabinet or frame of the sign, including all sign faces and structural or decorative frames, as follows:

1. Surface Area.

   a. The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display area within a single continuous perimeter composed of squares or rectangles with no more than eight lines. See Figure 18.180.090(A) (Sign Area Measurement); or

   b. Signs consisting of painted or cutout letters not boxed or framed shall be calculated by one simple rectilinear figure that contains all of the lettering and any logos.

2. Sign Structure. Supporting bracing or framing that is clearly incidental to the display itself
shall not be computed as sign area, unless said members are finished to attract attention by color, lighting, etc.

3. Double-Faced Freestanding Signs. Computed on one surface area only, including all structural or decorative frames.

4. Multi-Faced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces, except that if the two sides are of equal size and within five degrees of parallel, the area of one sign face shall be considered to be the area of the sign.

5. Decorative Lighting. Permanently installed illuminated panels, visible tubing, and strings of lights outlining all or a portion of a structure, other than lighting that is primarily for indirectly illuminating architectural features, signs, or landscaping, shall be deemed “signs” subject to this chapter and shall be counted as part of the allowed sign area. Each line of tubing or lights shall be deemed to have a minimum width of at least six inches for the purpose of area calculation.

![Sign Area Measurement Diagram](image)

**FIGURE 18.180.090(A) – SIGN AREA MEASUREMENT**

B. Freestanding Sign Height Measurement. Sign height shall be measured as the vertical distance from the lowest point of the base of the sign at normal grade to the top of the highest attached component of the sign. See Figure 18.180.090(B) (Sign Height).

1. Normal Grade. Normal grade shall be construed to be the lower of either the:

   a. Existing grade before construction; or

   b. Newly established grade after construction, exclusive of any berming, filling, mounding, or excavating solely for the purpose of locating the sign.

2. Where Normal Grade Cannot Be Determined. In cases where the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of the adjacent public street or the grade of the land at the principal entrance to the site, whichever is lower, mounding or excavating solely for the purpose of locating the sign.
FIGURE 18.180.090(B) – SIGN HEIGHT

C. General Location Requirements.

1. Each sign shall be located on the same site as the subject of the sign, except as otherwise allowed by this chapter.

2. Each sign shall comply with the setback requirements of this chapter.

3. No sign shall be placed so as to interfere with the operation of a door or window. Signs should not be located so that they cover prominent architectural features of the building.

D. Clearance from Public Utility Facilities. All signs shall maintain any legally required clearance from communications and electric facilities. A sign shall not be constructed, erected, installed, maintained, or repaired in any manner that conflicts with a rule, regulation, or order of the California Public Utilities Commission pertaining to the construction, operation, and maintenance of public utilities facilities. Specifically, all signs shall maintain the minimum clearances from energized power lines as provided in Rule 39 of the California Public Utilities Commission Rules for Overhead Electric Line Construction.

E. Interference with Motorist Field of Vision.

1. No sign shall be located in a manner which may obstruct or interfere with the view of a traffic signal or other traffic regulatory signs. No sign shall be located as to create a hazard to the life or property of any person using the public right-of-way.

2. Signs shall not be located in the site visibility triangle.

F. Maintenance Requirements. Every sign and all parts, portions, and materials thereof shall be maintained and kept in proper repair. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracked, broken surfaces, malfunctioning lights, missing sign copy, or other nonmaintained or damaged portions of a sign shall be repaired or replaced within 30 days following notification by the city. Noncompliance with such a request will constitute a nuisance condition and zoning violation and will be enforced as such.

G. Sign Removal or Replacement. When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected building surfaces shall be painted and restored to match the adjacent portion of the structure. This requirement does not apply to routine maintenance. [Ord. 12-4. DC 2012 § 122-540].
18.180.100 Sign regulations by zoning district.

Each sign shall comply with the standards for sign type, area, placement, and height, provided by this section or the provisions of CDC 18.180.110 (Sign regulations for specific uses). Regulations listed below based upon zoning district, use, and type of sign.

A. Exceptions. A master sign program may allow deviations from the requirements of this section in compliance with CDC 18.180.060.

B. Setback Requirement for Freestanding Signs. All freestanding signs shall be set back a minimum of five feet from a dedicated public right-of-way, except where a different setback is specified for a specific sign type.

C. Criteria Used in Table 18.180.100.

1. Total Sign Area. The total sign area allowed is the collective area (square feet) allowed for all signage. The total area may be distributed among all of the signs permitted for that project or use. As an example, the total allowed area for signs for a particular project may be distributed among the attached wall signs, awnings, and freestanding signs, except where otherwise noted.

2. Sign Area Allowance. Allowable sign area is either a set square footage per establishment (i.e., eight square feet per building) or a ratio of allowable sign area to primary building frontage and/or building area (i.e., one square foot (sf) of sign per lineal foot (lf) of primary building frontage, or one square foot per 100 square feet of building area).

3. Signs on Corner Lots. Sign area for buildings located on corner lots shall be determined based on the building frontage of the address and shall not be based on where the entrance of the building is located.

D. Allowable Sign Area. The sign regulations in Table 18.180.100 are listed by zoning district except for mixed-use districts where there is a different standard for residential uses and nonresidential uses. The total sign area allowed shall include all permanent signs (attached and freestanding), except where otherwise approved by a master sign program or as permitted in Table 18.180.110.

Table 18.180.100

<table>
<thead>
<tr>
<th>District/Use Type</th>
<th>Sign Types Allowed</th>
<th>Sign Area Determination Minimum/Maximum</th>
<th>Maximum Height</th>
<th>Maximum Cumulative Signage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Districts</td>
<td>Wall</td>
<td>1 sf min. and max.</td>
<td>NA</td>
<td>1 sf</td>
</tr>
</tbody>
</table>

The Concord Municipal Code is current through Ordinance 19-1, passed April 23, 2019.
<table>
<thead>
<tr>
<th>Uses</th>
<th>Type</th>
<th>Minimum</th>
<th>Maximum</th>
<th>Freestanding</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM, RH</td>
<td>Wall</td>
<td>0.5 sf</td>
<td>NA</td>
<td>maximum 25 sf</td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td></td>
<td></td>
<td>5 ft.</td>
</tr>
<tr>
<td>Other Uses as Allowed</td>
<td>Wall Sign</td>
<td>maximum 25 sf</td>
<td>NA</td>
<td>maximum 25 sf</td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td></td>
<td></td>
<td>5 ft.</td>
</tr>
<tr>
<td><strong>North Todos Santos District</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SFR Wall</td>
<td>Wall</td>
<td>1 sf min. and max.</td>
<td>NA</td>
<td>1 sf</td>
</tr>
<tr>
<td>MF Office</td>
<td>Wall</td>
<td>12 sf</td>
<td>NA</td>
<td>12 sf</td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td></td>
<td></td>
<td>5 ft.</td>
</tr>
<tr>
<td><strong>Commercial and Downtown Districts</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Residential Uses</td>
<td>See RM, RH</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Community Office District</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Tenant Wall</td>
<td>Wall</td>
<td>8 sf</td>
<td></td>
<td>8 sf</td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td></td>
<td></td>
<td>5 ft.</td>
</tr>
<tr>
<td>Multi-tenant Wall</td>
<td>Wall</td>
<td>4 sf/tenant</td>
<td></td>
<td>max. 28 sf</td>
</tr>
<tr>
<td>Building Identification</td>
<td>Wall</td>
<td>8 sf</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td></td>
<td></td>
<td>5 ft.</td>
</tr>
<tr>
<td>Commercial Mixed-Use (CMX), Neighborhood Commercial (NC), Service Commercial (SC), Regional Commercial (RC), Downtown Pedestrian (DP)</td>
<td>Wall Awning Projecting</td>
<td>1 sf:1 if building frontage; no sign shall be required to be less than 20 sf</td>
<td>max. 150 sf</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freestanding</td>
<td>30 sf, 1 per frontage</td>
<td>6 ft.</td>
<td></td>
</tr>
</tbody>
</table>
### Downtown Mixed-Use (DMX), West Concord Mixed-Use (WMX)

<table>
<thead>
<tr>
<th>Type</th>
<th>Wall</th>
<th>Area</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall Awning Projecting</td>
<td>1 sf: if bldg frontage plus 1 sf:100 sf floor area; or a maximum of 15 percent of any wall surface area; no sign shall be required to be less than 20 sf</td>
<td>NA</td>
<td>max. 300 sf</td>
</tr>
<tr>
<td>Suspended</td>
<td>5 sf</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Freestanding</td>
<td>max. 30 sf</td>
<td>6 ft.</td>
<td></td>
</tr>
<tr>
<td>Skyline</td>
<td>Skyline to be approved by MSP</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Business Park and Industrial Districts

**Office Business Park (OBP), Industrial Business Park (IBP), Industrial Mixed-Use (IMX), Heavy Industrial (HI)**

<table>
<thead>
<tr>
<th>Building Identification</th>
<th>Wall</th>
<th>Area</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single tenant Wall</td>
<td>0.5 sf: if bldg frontage or three percent of the wall surface</td>
<td>NA</td>
<td>150 sf</td>
</tr>
<tr>
<td>Freestanding</td>
<td>max. 20 sf, 1 allowed</td>
<td>5 ft.</td>
<td></td>
</tr>
<tr>
<td>Multiple tenant Wall</td>
<td>Per sign program max. 2</td>
<td>NA</td>
<td>100 sf or as determined by MSP</td>
</tr>
<tr>
<td>Tenant Identification</td>
<td>3 sf</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Freestanding</td>
<td>max. 20 sf one allowed</td>
<td>5 ft.</td>
<td></td>
</tr>
</tbody>
</table>

### Public/Quasi-Public (PQP), Open Space (OS), Parks and Recreation (PR)

| All Uses                | To be determined by sign program |             |             |

[Ord. 12-5; Ord. 12-4. DC 2012 § 122-541].

**18.180.110 Sign regulations for specific uses.**

Table 18.180.110 identifies sign standards for specific land uses, including new automobile
dealerships, theaters, drive-in and drive-through uses, and service stations. Where the provisions in this section are different than the provisions in Table 18.180.100, the regulations in Table 18.180.110 shall prevail. This section is intended to recognize several factors:

A. Different land use categories have different requirements for signage;

B. A single district may allow multiple uses that have different requirements, particularly the mixed-use districts;

C. Allowing uses with a lesser need for signage visibility (manufacturing or warehouse) the same signage allowed for uses with a greater need for visibility (retail) that are permitted in the same zoning district can create unnecessary and excessive signage; and

D. Land uses that are legal nonconforming could be jeopardized if they are not allowed signs appropriate to their actual use but are instead confined to signage appropriate only to conforming uses.

E. Exceptions. A master sign program may allow deviations from the requirements of this section in compliance with CDC 18.180.060 (Master sign programs).

<table>
<thead>
<tr>
<th>Use</th>
<th>Sign Type</th>
<th>Maximum Number Permitted</th>
<th>Maximum Area Per Sign</th>
<th>Maximum Total Signage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Identification Signs</td>
<td>Freestanding</td>
<td>1 per primary entrance or 1 per frontage</td>
<td>Residential 20 sf per entrance</td>
<td>max. 60 sf</td>
<td>6 ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>CO, CMX, NC, SC, RC, DMX, WMX 1/8 sf per 100 sf site area</td>
<td>max. 200 sf</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>OBP, IBP, IMX, HI 1/8 sf per 160 sf site area</td>
<td>max. 200 sf</td>
<td></td>
</tr>
<tr>
<td>Primary Wall</td>
<td>As</td>
<td>100 sf max.</td>
<td>300 sf max.</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>New Automobile Dealership</td>
<td>(building) approved by sign plan or master sign program</td>
<td>per sign</td>
<td>for all Primary Wall</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------</td>
<td>--------------------------------------------------------</td>
<td>----------</td>
<td>----------------------</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Secondary Wall signs (to identify services)</td>
<td>As approved by sign plan or master sign program</td>
<td>No limit on number 50 sf max. for all Secondary Wall</td>
<td>NA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freestanding</td>
<td>1 sign per street frontage</td>
<td>100 sf max. per sign</td>
<td>20 ft. max. height</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Freestanding circulation</td>
<td>1 sign per driveway</td>
<td>8 sf</td>
<td>No limit</td>
<td>4 ft. tall</td>
<td></td>
</tr>
<tr>
<td>Promotional signs including flags, pennants, streamers, balloons (excluding rooftop inflatable figures and searchlights), feather, a-frame, lawn signs, banners, signs on light poles and fixtures</td>
<td></td>
<td>No limit on number or type, except inflatable or balloon signs are limited to a max. of 10 days/year, see CDC 18.180.120</td>
<td>NA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulletin Boards</td>
<td>Wall 15 sf 15 sf 5 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freestanding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Churches, Schools and similar Public or Quasi-Public Facilities</td>
<td>Wall 25 sf 50 sf (unless otherwise approved with a sign plan or master sign program)</td>
<td>50 sf</td>
<td>5 ft.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freestanding 25 sf</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospitals</td>
<td>Wall As approved by master sign program</td>
<td>8 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freestanding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Memorial signs</td>
<td>Wall 4 sf 4 sf NA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Menu/Order Board Sign

<table>
<thead>
<tr>
<th>Service Stations</th>
<th>Freestanding</th>
<th>2</th>
<th>40 sf per sign</th>
<th>80 sf</th>
<th>6 ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall Primary Establishment</td>
<td>1 per street frontage</td>
<td>40 sf</td>
<td>max. 100 sf for all attached signs including canopy and sub-establishment</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Pump Island Canopy</td>
<td>1 per street frontage</td>
<td>2 sf sign area per one if building frontage</td>
<td></td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Wall Sub-establishment, when incorporated with sign for primary establishment</td>
<td>1 per street frontage</td>
<td>40 sf</td>
<td></td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Freestanding with gas prices incorporated</td>
<td>1</td>
<td>50 sf</td>
<td></td>
<td>6 ft.</td>
<td></td>
</tr>
</tbody>
</table>

## Theaters

<table>
<thead>
<tr>
<th>Theaters</th>
<th>Wall Freestanding</th>
<th>Changeable Copy</th>
<th>As approved by master sign program</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Notes:

1. Sign plans and master sign programs require design and site review permit approval.
2. Sites with two to five signs require a sign plan and sites with six or more signs require a master sign program.
3. Design and site review applications for sign plans and master sign programs may be approved administratively for signs that meet the above requirements.
4. Staff may approve deviations to the above requirements up to 25 percent of the requirements.
5. Staff may refer a sign plan or master sign program to the design review board, to assure compliance with the design standards in the development code or design guidelines.
6. Sign proposals that deviate more than 25 percent total (area, height, or number of signs) shall be
approved by the design review board and may be referred to the planning commission for approval.

[Ord. 16-6 § 1 (Exh. A); Ord. 13-5; Ord. 12-4. DC 2012 § 122-542].

18.180.120 Temporary signs.

This section describes standards for temporary on-site signs, except for temporary signs allowed for new automobile dealers (see Table 18.180.110). All temporary signs require an administrative permit (temporary sign permit) prior to their establishment. Temporary signs may include, but are not limited to, commercial signs for grand openings or for special product, sale, or event advertising. All temporary signs shall comply with the following:

A. Allowable Temporary Signs.

1. A-Frame Signs for Sidewalk Cafes in the Downtown. There shall be no maximum time limit for A-frame signs in the downtown.

2. Banner Signs. Banners for grand openings or special events shall be allowed for a maximum period of 30 days. No other temporary sign shall be permitted within 150 days of such removal.

3. Inflatable or Balloon Signs. Inflatable or balloon signs may be allowed at new automobile dealerships subject to the following:
   a. A maximum of one inflatable or balloon sign shall be allowed per automobile dealership;
   b. The inflatable or balloon sign shall be allowed a maximum of 10 days per year;
   c. The sign shall be securely mounted on the roof of a building or to the ground; and
   d. An administrative permit and a building permit shall be required prior to installation of the sign.

4. On-Site Subdivision Signs.
   a. Signs in the model home area and across the entire subdivision shall not exceed a total aggregate area of 200 square feet; and
   b. All subdivision signs shall be removed within 15 days after all lots in the subdivision are sold. The city may require the subdivider or developer to submit a performance deposit or other form of security to ensure compliance with the standards of this subsection.

5. Off-Site Subdivision Signs. Subdivision directional signs are allowed to direct the traffic to new residential subdivisions in a manner that minimizes visual clutter, reduces unnecessary traffic through established neighborhoods, and provides an orderly, attractive, high-quality image of the
city, as follows:

a. Location. Signs shall be located outside of the clear vision triangle and within the buildable area of the lot as defined by the setback regulations of the applicable zoning district. Signs shall only be allowed on streets with four travel lanes or more and shall be located a minimum of 75 feet from any other freestanding sign;

b. Height. The maximum height of the kiosk shall be 15 feet;

c. Area. The maximum area of one face of the sign shall be 20 square feet;

d. Number of Faces. Directional signs may have up to three with the angle between the faces no more than 90 degrees; and

e. Illumination. Directional signs may not be illuminated.

6. Illumination. Temporary signs shall not be illuminated.

7. Materials. All temporary signs shall be made of a material designed to maintain an attractive appearance for as long as the sign is displayed. [Ord. 12-4. DC 2012 § 122-543].

18.180.130 Standards for specific sign types.

In addition to the sign requirements in CDC 18.180.090, 18.180.100, 18.180.110, and 18.180.120, the following requirements shall apply to the specific sign types:

A. A-Frame Signs. Allowed only at sidewalk cafes in the downtown. See CDC 18.200.190 (Sidewalk cafes and outdoor eating areas). A-frame signs shall conform to the following requirements:

1. No more than one A-frame sign per street frontage shall be allowed.

2. Each sign shall not exceed a width of 30 inches nor a height of 48 inches.

3. A-frame signs shall be placed so that they do not:
   a. Obstruct required ADA sidewalk clearance;
   b. Impede any line of sight for motorists or bicyclists at public street intersections; or
   c. Interfere with people exiting or entering parked cars.

4. The signs shall be stabilized to withstand wind gusts or shall be removed during windy conditions.

B. Area Identification Signs. Area identification signs shall be allowed for any identifiable area, as defined in CDC 18.20.030 (Definitions) and shall conform to the following requirements:
1. The sign design, including the structural materials, shall be compatible with and complementary to the structure or area being identified; and

2. The sign base shall be located within a planter box or planting area, the design and location of which is to be approved by the planning division.

C. Awning Signs. Awning signs shall conform to the following requirements:

1. Signs on awnings shall be limited to ground level or second story occupancies only; and

2. Awnings shall not be illuminated unless they are the main sign for the establishment. Only direct exterior lighting shall be allowed; internal illumination shall be prohibited.

D. Changeable Copy Signs. Changeable copy signs shall conform to the following requirements:

1. Area Allowed. The maximum area for changeable copy signs, except for theaters as approved by the review authority, shall be 20 square feet.

2. Sign Type. Only manual changeable copy signs shall be permitted in the city. Electronic changeable copy signs (e.g., electronic reader boards) shall be prohibited except for community service signs.

E. Community Interest Group Signs. Community interest group signs (e.g., fraternal, benevolent, social services, religious organizations) shall conform to the following requirements:

1. Prior to the installation of any such structures, the planning division shall review and approve the size, height, width, and general design as in keeping with the standards set forth as follows:
   
   a. All composite signs shall be low profile, not exceeding six feet in height;

   b. The maximum sign size shall not exceed 32 square feet; the maximum dimensions are not to exceed 10 feet, zero inches;

   c. The sign base shall be architecturally designed and located in a landscaped island; and

   d. The location of the sign shall be erected so as not to block clear line of sight of approaching automobiles or pedestrians.

2. Only one of each such sign shall be permitted at each main entrance to the city, including Bailey Road, Clayton Road, Concord Avenue, Cowell Road, Kirker Pass Road, Monument Boulevard, Oak Grove Road, Pt. Chicago Highway, Solano Way, Treat Boulevard, Willow Pass Road, and Ygnacio Valley Road.
F. Directional Signs (On-Site). On-site directional signs shall conform to the following requirements:

1. One directional sign shall be allowed per driveway or service entrance.

2. Each directional sign shall be set back a minimum of five feet from a public right-of-way.

3. The maximum area of each directional sign shall be six square feet. A larger sign may be allowed by the planning division and city engineer based upon unique site or project characteristics.

G. Directory Signs (On-Site). On-site directory signs shall conform to the following requirements:

1. One attached directory sign shall be permitted per building frontage. Additional signs may be allowed by the planning division if a health and safety need is demonstrated.

2. Freestanding directory signs no more than 30 inches in height and four square feet shall be allowed and shall not count towards the allowed signage for the site; larger signs shall count towards the allowed signage.

H. Projecting or Shingle Signs. Projecting signs shall conform to the following requirements:

1. Area to be computed on one surface area only.

2. The sign projection shall not extend more than three feet from the building to which it is attached.

3. The lowest point of the sign shall be eight feet above grade.

4. The top of the sign shall not exceed the lesser of 14 feet, eave height, parapet height, or sill height of a second floor window. No portion of the sign shall project above the eave line of a sloped roof or the top of the parapet on a flat roof.

5. The projecting sign shall be erected in such a manner so as not to create a traffic hazard to vehicles or pedestrians.

6. The sign shall be suspended with a clear space of at least six inches between the sign and the building.

7. Sign supports and brackets shall be compatible with the design and scale of the sign and building design.

I. Under-Canopy Signs. Suspended under-canopy signs shall conform to the following requirements:

1. Under-canopy signs shall have a maximum area of five square feet.
2. The lowest point of the sign shall be eight feet above grade.

3. The sign shall be suspended with a clear space of at least six inches between the sign and the building.

4. Sign supports and brackets shall be compatible with the design and scale of the sign and building design.

J. Roof Signs. Where permitted, roof signs shall conform to the following requirements:

1. Roof signs shall only be permitted on single-story buildings;

2. Signs shall only consist of individually mounted cut-out letters or symbols or be mounted on a vertical surface that is a part of the roof’s structural design;

3. For individual letter signs, the distance from the top of the sign to the ridge of the roof shall be equal to, or greater than, the distance from the bottom of the sign to the eave line;

4. Signs shall be mounted back from the outside edge of the fascia or eave of the roof as approved by the design review board;

5. Signs shall be parallel with store front;

6. Spotlights and luminaires for indirect illumination of the sign shall be screened from direct view; and

7. Structural support for signs shall be unobtrusive. Struts, braces, and guy wires shall not be visible by pedestrians and passing traffic.

K. Freestanding Signs. Freestanding signs shall conform to the following requirements:

1. Materials and design for freestanding signs shall be complementary to the materials and design of the buildings for the related development. For example, if the facade of the building is made of brick or brick veneer, a complementary freestanding sign would also include brick.

2. Landscaping shall be provided at the base of the sign. At a minimum, landscape area shall be equal to the area of the sign. Landscaping shall be complementary to the landscaping for the overall site. The design of the landscaping shall be such that natural growth will not obscure the sign from the public right-of-way.

3. Freestanding signs shall be separated by a minimum of 75 feet to ensure adequate visibility for all signs. The planning division may reduce this requirement where the locations of existing signs on adjacent properties make this standard impractical or there is no other alternative.
4. All freestanding signs shall be set back a minimum of five feet from a public right-of-way.

L. Murals. A mural without text visible from the public right-of-way shall not count towards the allowed signage on a property; a mural with text visible from the public right-of-way shall comply with the sign area limitations applicable to the site. The mural shall be provided with a graffiti-resistant coating at the time of installation.

M. Skyline Signs. Skyline signs shall conform to the following requirements:

1. Each skyline sign shall be designed as an integral part of the building design and placed on a permanent architectural element which has been designed to accommodate a sign.

2. Skyline signs may be internally or externally illuminated.

N. Wall Signs. Wall signs shall conform to the following requirements:

1. Wall signs shall be compatible with the predominant visual architectural elements of the building facade.

2. Wall signs shall not project more than 12 inches from the building facade.

3. Wall sign raceways shall be concealed from public view (e.g., within the building wall or otherwise integrated with the design of the sign and building) so as to not detract from the architectural character of the building.

4. Channel letters, reverse channel letters, and pushpin letters are preferred in place of can signs.

5. Signs containing multiple elements (e.g., logo and text) on one facade shall be designed so that the multiple elements are located and scaled in relationship to each other.

6. Tenant (name) signage (including logos) of those businesses occupying a multi-tenant regional retail center development that is at least 300,000 square feet shall be permitted to be placed on the rear fascia of the buildings immediately adjacent to the freeway. Such signage shall be approved as part of the approval of the master sign program. In addition, businesses occupying said multi-tenant regional retail center development may advertise (utilizing stationary advertising locations as identified in the approved master sign program) those products manufactured or sold or presented on the premises.

7. For those businesses occupying a multi-tenant regional retail center development that is at least 300,000 square feet, which are located in a corner building of said center, may be allowed to have three building top fascia signs, one on each of the building elevations. Buildings larger than 20,000 square feet in said center, and located in a corner building, may be allowed to have
secondary signage (lower than the building top fascia signage) on each elevation of the building and such signage may display the name or type of the business or product being offered or housed in the building. Such signage shall be approved as part of the master sign program.

O. Window Signs. Window signs shall conform to the following requirements:

1. Window signs shall be allowed only on windows located on the ground level and second story of a structure.

2. Paper or printed signs shall not cover more than 10 percent of all window area, and the signs shall not exceed 50 percent of any single window pane.

3. Window signs shall consist of individual letters, logos, or symbols applied to, stenciled on, or etched into the glass surface, except that neon signs with transparent backgrounds may be hung inside the window glass. [Ord. 16-6 § 1 (Exh. A); Amended during 2014 recodification; Ord. 13-5; Ord. 12-4. DC 2012 § 122-544].

18.180.140 Design standards for signs.

The following design criteria shall be used to evaluate all applications for sign permits or master sign programs. Signs shall be substantially conforming to each of the following, as applicable:

A. Design Compatibility with Building. Signs shall be compatible with the architectural style of the primary building or buildings upon the site where the sign is located.

B. Design Compatibility with Adjoining Development. Signs shall consider compatibility with surrounding development, especially adjoining residential neighborhoods.

C. Color. Colors on signs and structural members should be harmonious with one another and relate to the dominant colors of the other structures on the site. Contrasting colors may be utilized if the overall effect of the sign is still compatible with the structure colors and prevailing colors in the surrounding neighborhood (where a theme can be identified).

D. Sign Illumination. The illumination of signs, either from an internal or external source, shall be designed so as not to cast stray light on surrounding rights-of-way and properties. The following requirements shall apply to all illuminated signs:

1. External light sources shall be directed and shielded to limit direct illumination of an object other than the sign;

2. The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impacts on residential properties or streets in direct line of sight to the sign;
3. Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices; and

4. Light sources shall utilize energy-efficient fixtures to the greatest extent possible and shall comply with Title 24 of the California Code of Regulations.

E. Construction Requirements. Every sign and all parts, portions, and materials thereof shall be manufactured, assembled, and erected in compliance with all applicable state, federal, and city laws and regulations, including the locally adopted building code. All signs shall comply with the following criteria:

1. All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the building or shall be concealed within the sign.

2. All permanent signs shall be constructed of quality, low-maintenance materials such as metal, concrete, natural stone, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements.

3. All freestanding signs that incorporate lighting shall have underground utility service. [Ord. 12-4. DC 2012 § 122-545].

18.180.150 Nonconforming and abandoned signs.

This section describes the policies and procedures for addressing signs that do not conform to the requirements of this chapter (nonconforming signs) and signs that have been abandoned.

A. Nonconforming Signs.

1. Except as otherwise provided by this section, all existing signs which do not meet the requirements of this chapter shall be deemed nonconforming signs.

2. A legally established sign which fails to conform to this chapter shall be allowed to continue in use as follows:

   a. Nonconforming signs shall not be expanded, moved, or relocated, other than to bring into a conforming standard;

   b. Nonconforming signs and sign structures may be maintained and repaired, but the maintenance and repair shall not exceed 50 percent of the sign's fair market value;

   c. The sign copy and sign faces for nonconforming signs may be changed;

   d. Other modifications/replacements of sign elements which constitute an improvement to
an existing nonconforming sign may be allowed at the discretion of the planning division.

3. Signs in areas annexed to the city after the date of adoption of this chapter, which were legally erected in the county but do not conform to the provisions of this chapter, shall be regarded as nonconforming signs.

B. Abandoned and Poorly Maintained and Unsafe Signs.

1. Abandoned or Unsafe Signs.

a. Any sign, including its supporting structure, which no longer identifies activities currently associated with the site upon which it is located, or which otherwise fails to serve its original purpose, or is not maintained in a safe, presentable, and good condition, including the replacement of defective parts, painting, repainting, and cleaning, shall be removed by the owner of the property within 90 calendar days after written notice to do so from the city.

b. Any sign which the building division establishes as unsafe or insecure shall be corrected or removed, together with all supporting structures, by the owner of the property upon which the sign is located within 30 days after written notice by the building division.

c. After the periods specified in subsections (B)(1)(a) and (b) of this section, the city may cause such sign to be removed and the cost of such removal shall become a lien against the property.

d. If a hazardous condition exists, the condition shall be corrected immediately upon notice by the building division.

2. Noncommercial Signs.

a. Noncommercial signs not posted in accordance with provisions of this chapter shall be the responsibility of the owner of the property upon which the sign is located.

b. Noncommercial signs posted on public property or in the public right-of-way may be removed summarily by the city building official or his designated representative.

c. Signs removed during an election period shall be stored in the city corporation yard and may be destroyed by the city if not claimed within 15 days from the date notice is given to the candidate, candidate’s committee, or ballot measure committee that said signs have been removed. Any person claiming a sign so removed within the 15-day period shall be subject to a fee for the cost of removal and storage as may be established in the master fees and charges resolution for various municipal services.

d. Noncommercial signs on vacant parcels outside of an election period shall be deemed
abandoned and may be summarily removed and disposed of by the city building official.

e. Noncommercial signs in violation of this chapter are subject to removal from private property by the city building official with the prior consent of the property owner. A service charge, as set forth in the master fees and charges resolution for various municipal services, shall be billed to the property owner for each occasion when such removal by the city is carried out.

f. A reinspection fee, as set forth in the master fees and charges resolution for various municipal services, shall be charged to the property owner for each billable occasion subsequent to the mailing (or delivery if the mail is not used) of the original violation notice when a reinspection is made which reveals the continued existence of a violation on the parcel. A billable occasion exists when six or more calendar days have elapsed since the most recent inspection. A reinspection fee shall not be charged for an occasion when a removal service charge has been paid. [Ord. 12-4. DC 2012 § 122-546].

18.180.160 Violations and penalties.

It shall be unlawful for any person to violate any provision of, or to fail to comply with, any requirements of this chapter. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall be guilty of a misdemeanor punishable pursuant to CMC 1.05.230.

A. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed by him, and shall be punished accordingly.

B. In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter shall be deemed a public nuisance. The city may summarily abate it as such. Each day such condition continues shall be regarded as a new and separate offense. [Ord. 12-4. DC 2012 § 122-547].
1500 MONUMENT PLAZA

DIABLO VALLEY BOWL

Habitat for Humanity ReStore

O'Reilly AUTO PARTS

FASHION TOWN
SEÑOR BURBUJAS LAUNDROMAT

TORTILLERIA EL MOLINO
LA CABAÑA NIGHT CLUB

PANCHO VILLA RESTAURANT
MEXICAN BURRITOS

EL MERCADITO

Little Caesars
18.200.160 Outdoor sales and displays.

Where allowed by Division II of this title (Zoning Districts – Uses and Standards), outdoor sales and display shall comply with the requirements of this section.

A. Locational Criteria. The outdoor sales and display area shall be directly related to a business occupying a permanent structure on the subject parcel. Displayed merchandise shall occupy a fixed, specifically approved, and defined area that does not disrupt the normal function of the site or its circulation, and does not encroach upon parking spaces, driveways, pedestrian walkways, or required landscaped areas. The area shall be delineated by striping, enclosure, or otherwise approved boundary.

B. Setbacks. Outdoor sales and display areas shall not encroach into required setback areas. In zoning districts where no setback is required, the outdoor sales area shall be set back a minimum of 15 feet from adjoining property lines, unless otherwise allowed by the review authority.

C. Screening. All outdoor sales and display areas, except for automobile displays and plant nurseries, shall be screened in compliance with CDC 18.150.180, Transitional requirements. The height of merchandise, materials, and equipment on display shall not exceed the height of the screening wall or fence.

D. Signs. Additional signs, beyond those normally allowed for the subject use, shall not be permitted to identify the outdoor sales and display area.

E. Rental of Trucks, Trailers, and Automobiles. Except as provided in Division II of this title, no owner, lessee, or operator of any gasoline service station or other commercial establishment shall be allowed to store, maintain, keep, or make available to the public, by lease agreement or otherwise, any rental trailers, trucks, or autos on the service station or adjoining premises. [Ord. 12-4. DC 2012 § 122-629].
18.200.200 Temporary uses and structures.

A. Purpose. This section establishes procedures, standards, and requirements for the approval of temporary activities, events, and uses which are intended to operate on a short-term basis for a limited period. Such activities, events, and uses may not meet the typical use or development standards for a particular zoning district, but may be acceptable due to their temporary nature. Temporary activities, events, and uses include special events provided for the enjoyment of the public, sales and promotional activities intended to serve commercial interests, seasonal activities, temporary construction related activities, and similar temporary activities, events, and uses.

B. Applicability. This section shall apply to temporary activities, events, and uses which are established, operated, and conducted as required by this section. This section does not apply to vendors, which are subject to Chapter 12.50 CMC (Vendors).

C. Permit Requirements. Unless otherwise specified in this section, temporary events, activities, and uses shall require the following approvals. Other temporary or short-term activities that do not fall within these categories shall comply with Division II (Zoning Districts – Uses and Standards), Division IV (Development Standards), and Division V (Standards for Specific Uses) of this title.

1. Exempt Temporary Uses. Minor temporary events, activities, and uses are exempt from the requirements of this section when conducted in accordance with the limitations and conditions described below.

2. Minor Temporary Uses. Minor temporary activities, events, and uses shall require a zoning clearance determination, in accordance with Chapter 18.410 CDC (Zoning Clearance).

3. Major Temporary Uses. Major temporary activities, events, and uses are allowed subject to approval of an administrative permit in accordance with Chapter 18.420 CDC (Administrative Permits), for up to 12 months unless otherwise specified or conditioned in the permit approval. All administrative permit approvals shall be based on compliance with the findings in subsection (G) of this section.

D. Exempt Temporary Uses. Exempt temporary activities, events, and uses conducted in accordance with the limitations and conditions described below shall include:

1. Emergency Facilities. Emergency public health and safety facilities and activities.

2. Garage Sales. No property may have more than three sales per year, and no sale may exceed two consecutive days.

3. Public Property. Activities which are authorized by the city and conducted on city owned properties. Such activities may be subject to CMC 4.05.040 (Permits for use of parks).
E. Minor Temporary Uses. Minor temporary activities, events, and uses conducted in accordance with the limitations and conditions described below shall include:

1. Construction Yards – On-Site. On-site construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction activities, or expiration of the building permit or other permit authorizing the construction project, whichever occurs first.

2. Minor Promotional Events. Special events that meet the following criteria, as applicable, when the planning division determines that the event or activity will not impact an adjacent residential area:
   a. Is conducted within an established shopping center;
   b. Does not occur after 9:00 p.m.;
   c. Is not attended by more than 100 persons;
   d. Does not have amplifying equipment within 300 feet of a residential area; and
   e. Does not occur for more than three consecutive days in the same location more than once every six months.

3. Real Estate Sales Offices. Temporary real estate sales offices for the initial sale of property in new residential developments, subject to the following standards:
   a. Is located within a new residence that is part of the development or within a temporary building; and
   b. Adequate visitor parking and safe circulation are provided that will not interfere with ongoing construction activities.

4. Temporary Work Trailers. A trailer or modular structure used as a construction office, or a temporary work site for employees of a business, subject to the following standards:
   a. There is an approved building permit for the permanent facility;
   b. The trailer or modular structure is only allowed during the construction of a subdivision, or permanent nonresidential structure or facility;
   c. The applicant has demonstrated that the construction office or temporary work site is a short-term necessity;
   d. The structure shall be approved for a maximum period of one year or until expiration of
the building permit or other construction permit, whichever occurs first, unless an extension is granted; and

e. The trailer or modular structure is removed prior to final building inspection or issuance of a certificate of occupancy for the permanent structure.

5. Unattended Temporary Donation Boxes. An unattended temporary donation box is a temporary box, container, receptacle, or similar facility with ground dimensions no greater than 20 square feet and a height no greater than five feet that is placed on private property for the purpose of accepting clothing, textiles, shoes, books, and/or other salvageable personal property items to be used by an organization for distribution, resale, or recycling, subject to the following standards:

a. The donation box shall be approved for a maximum period of six months and may only be renewed for one additional six-month period. The application for zoning clearance determination shall include a site plan indicating the location of the proposed donation box and the dates for which approval is requested. The application further shall state the name and contact information of the person designated by the organization to be responsible for maintenance of the donation box;

b. The location of donation boxes shall comply with the following:

i. Shall not be located within 20 feet of the public right-of-way or other public property;

ii. Shall be in an area that is adequate in size and shape to accommodate the donation box and to allow for adequate foot traffic and access by the disabled;

iii. Shall not impede adequate vehicular traffic to or within the site;

iv. Shall not obstruct any required parking spaces;

v. Shall not obstruct or interfere with drainage or the operation of utilities; and

vi. Shall not create a public or private nuisance.

c. Only one donation box shall be permitted per parcel of real property; donation boxes shall only be located in an office and commercial or business park and industrial zone and only on a parcel where a primary business or commercial use is in operation;

d. Donation boxes shall be kept clean, well maintained, neatly painted, and in good operating condition with no structural damage, holes, or visible rust. Donation boxes shall be locked or otherwise secured and shall have a collection opening that has a tamper-resistant locking mechanism. Donation boxes shall be serviced and emptied as needed, but at least every
seven days;

e. Donation boxes shall be maintained free of litter and graffiti at all times. The property owner, tenant in control, and/or operator shall remove all donation items, abandoned personal property, trash, litter and debris within 20 feet of the box on a daily basis. Graffiti shall be removed within 48 hours of written notice from the city;

f. Donation boxes shall be clearly marked with the name of the organization doing the collection and a working telephone number of the organization;

g. Donation boxes shall bear a sticker issued by the city evidencing zoning clearance determination by the city and the expiration date of the temporary use;

h. The city may summarily abate any donation box found in violation of these conditions upon 48 hours’ written notice to abate provided to the person designated by the organization to be responsible for maintenance of the donation box;

i. The written consent of the property owner and any tenant in control of the location where the donation box is intended to be placed shall be provided to the city at the time zoning clearance determination is requested. The property owner and/or any tenant in control of the location where the donation box is intended to be placed may remove the donation box at any time, with or without consent of the owner or operator of the donation box;

j. Upon termination of the authorized temporary use, donation boxes shall be removed within 48 hours; and

k. The property owner, tenant in control of the location, and organization shall be individually and severally responsible for complying with the conditions of these provisions.

F. Major Temporary Uses. Major temporary activities, events, and uses are limited to a specific duration, generally up to 12 months, unless otherwise specified below, or conditioned in the permit approval. Approval shall only be granted when all of the findings in subsection (G) of this section are met. Major temporary activities, events, and uses shall include:

1. Carnivals, Circuses, Fairs, and Amusement Places. Festivals, fairs, tent shows, exhibits, games of skill, or rides when conducted at an outdoor location, subject to the following standards:

   a. Complies with operational standards contained in Chapter 5.40 CMC (Carnivals, Circuses, Fairs, and Amusement Places);

   b. Is located a minimum of 300 feet from any residential property, except that schools, churches, and other local nonprofit educational or charitable organizations may be exempt
from this requirement pursuant to CMC 5.40.040 (Location requirements); and

c. Has obtained a permit from the police department if the activity exceeds a total of seven days.

2. Location Filming. The use of a specific site for the filming of commercials, movies, videos, etc.

3. Major Promotional Events, Activities, Art Fairs, and Festivals. Special events and recurring activities that do not meet the conditions for minor promotional events in subsection (E)(2) of this section.

4. Model Homes. A model home or model home complex for an approved residential subdivision which has active construction permits. The models shall be converted to units for sale upon the completion of sales of all similar models or prior to acceptance of the subdivision improvements by the city.

5. Outdoor Sales and Displays. Temporary promotional sales and outdoor displays, associated with a permanent on-site use, may occur in nonresidential districts for 30 consecutive days within a 12-month period, subject to the following standards:

   a. Merchandise displays are located in close proximity to the primary structure where the items are sold indoors;

   b. Merchandise is displayed in a planned, orderly, and attractive manner as an extension of the window display and shall not constitute an expansion of the retail floor area (such as clothing racks);

   c. Merchandise displays do not interfere with adjacent business displays, storefronts, access, or visibility;

   d. Merchandise displays occupy a fixed, specifically approved, and defined location that does not disrupt pedestrian traffic, obstruct access to parking areas or driveways, or encroach onto landscape areas;

   e. Display fixtures are of good quality and durable materials and construction;

   f. Merchandise displays do not exceed a height of eight feet above the sidewalk; and

   g. Displays are removed during nonbusiness hours, unless otherwise approved.

6. Seasonal Holiday Sales. Christmas tree lots and pumpkin patches subject to the following standards. Stand-alone seasonal sales associated with other holidays are prohibited.
a. Sales of pumpkins may be conducted between October 1st and Thanksgiving Day, and sales of Christmas trees may be conducted between Thanksgiving Day and December 25th, seven days a week, and shall not operate between the hours of 10:00 p.m. and 8:00 a.m.;

b. Seasonal sales lots shall prevent nuisance factors on adjoining parcels, such as glare or direct illumination, dirt, dust, noise, odors, smoke, waste, and vibration;

c. Adequate parking facilities and vehicular and pedestrian circulation shall be provided;

d. Appropriate setbacks are provided to ensure adequate separation from adjoining land uses and a safe environment for vehicles and pedestrians; and

e. All trees, pumpkins, and other related sale items, as well as signs and temporary structures, shall be removed within 10 days after the end of sales, and the appearance of the site shall be returned to its original state. A monetary deposit shall be required, upon application, as set forth in the currently adopted city fee schedule to guarantee site cleanup.

7. Temporary Classrooms. A temporary classroom, including a manufactured or mobile unit, may be approved for a maximum of one year at an existing private school. An extension of one year may be granted by the planning division. A temporary structure proposed for a longer time period shall comply with all provisions of the development code applicable to a permanent structure on the same site.

8. Temporary Shelter. The use of a trailer, as defined in Vehicle Code Section 630, camper as defined in Vehicle Code Section 243, or recreational vehicle as defined in Health and Safety Code Section 18010, and a trailer coach as defined in Vehicle Code Section 635, is prohibited for residential purposes except for the following conditions:

a. If an existing home is damaged and determined to be uninhabitable by the building official, a trailer, camper, or RV may be occupied for a maximum one-year period, when a building permit has been issued and is active.

b. A trailer, camper, or recreational vehicle may be parked on a lot consistent with the regulations of CDC 18.160.160 (Parking and storage of recreational vehicles).

9. Vehicle Sales Events. Temporary events sponsored by a credit union or similar organization and held on private property such as a business park, with the property owner’s authorization. These events shall be limited to a maximum of two consecutive days and shall not occur in the same location more than two times a year.

10. Attended Used Goods Collection Centers. Attended used goods collection facilities at any location other than within a permanent building or structure shall comply with all of the following
standards:

a. The location of collection centers (trailers or containers) must be adequate in size and shape to accommodate the use and to allow for adequate foot traffic and access by the disabled and shall not impede adequate vehicular or pedestrian traffic to or within the site or obstruct any required parking spaces;

b. Collection centers shall not be located within 20 feet of the public right-of-way or other public property and shall be located so they are not visible from the public right-of-way;

c. The location of collection centers shall not create a public or private nuisance;

d. Only one trailer or container shall be permitted per parcel; collection centers shall only be located in an office and commercial or business park and industrial zone and only on a parcel where a primary business or commercial use is in operation;

e. Collection centers shall be operated by organizations;

f. Collection centers shall be kept clean, well maintained, neatly painted, and in good operating condition;

g. Each collection center shall be clearly marked with the name of the organization doing the collection and the local telephone number of the organization;

h. Collection centers, including all signs, accessories and structures, shall be maintained free of litter and graffiti at all times. The property owner, tenant in control, and/or operator shall remove all donation items, abandoned personal property, trash, litter and debris within 20 feet of the box on a daily basis. Graffiti shall be removed within 48 hours of written notice from the city;

i. The collection center shall be manned at all times the center is in use;

j. The written consent of the property owner and any tenant in control of the location where the collection center is intended to be placed shall be provided at the time permission is requested to use a collection center;

k. Upon termination of a collection campaign or program, collection facilities shall be removed and the site restored to its original condition within 48 hours; and

l. The property owner, tenant in control, and organization shall be individually and severally responsible for complying with the conditions of these provisions.

11. Similar Temporary Activities. A temporary activity, event, or use that the planning division
determines is similar to the other activities listed in this section, and is compatible with the applicable zoning district and surrounding land uses.

G. Findings. Administrative permits for temporary events, activities, and uses, in accordance with Chapter 18.420 CDC (Administrative Permits), shall be approved only when all of the following findings can be made:

1. The establishment, maintenance, or operation of the activity, event, or use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the proposed use.

2. The activity, event, or use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

3. Approved measures for the removal of the activity, event, or use and site restoration have been required to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed.

4. The approval includes provisions to ensure that each site occupied by a temporary activity, event, or use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the activity, event, or use and shall thereafter be used in compliance with the provisions of the development code. The review authority may require an appropriate security deposit prior to the initiation of the activity, event, or use to ensure proper cleanup after the use is terminated.

5. Additional conditions may be required, as appropriate, to minimize any adverse impacts of the temporary activity, event, or use.

H. Prohibited Temporary Activities, Uses, and Structures.

1. Privately Owned Vehicle Sales. The parking of privately owned automobiles in commercial, industrial, or public parking lots for the express purpose of offering the vehicle for sale is prohibited. This does not apply to permanent automobile/vehicle sales and leasing uses.

2. Shipping and Cargo Containers. Temporary structures including shipping and storage containers shall be prohibited as temporary stand-alone structures and are only permitted as building components of permanent structures subject to design and site review, with particular attention paid to roofing, exterior treatment, architecture, compatibility with adjacent buildings, and placement on a permanent foundation. [Ord. 18-1 § 1 (Exh. C); Ord. 13-5; Ord. 12-4. DC 2012 § 122-633].