

EXHIBIT A

Chapter 21.44 – On-Premises Signs

Draft Text for Long Beach Planning Commission Hearing | May 2, 2013

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21.44.010 – Purpose.

This Chapter provides standards for on-premises signs to safeguard life, health, property, safety, and public welfare, including aesthetics and the visual environment, while encouraging creativity, variety, compatible design, and enhancement of the City's image. The City recognizes that the location, number, size and design of signs significantly influences the City's visual environment and the perception of the City's economic condition. The specific purposes of this Chapter is to:

- A. Provide each sign user an opportunity for effective identification by regulating the time, place, and manner under which signs may be displayed;
- B. Maintain a content-neutral approach to sign regulation so as not to inhibit protected forms of freedom of expression;
- C. Regulate the number and size of signs according to standards consistent with the purpose of the City's various zoning districts and the intent of the Zoning Regulations;
- D. Protect all zoning districts from the adverse impacts of excessive numbers or sizes of signs, and signs of poor quality design;
- E. Encourage creative, well-designed signs that contribute in a positive way to the City's visual environment, and help maintain an image of quality for the City;
- F. Ensure that signs are responsive to the aesthetics and character of their particular location (adjacent buildings and surrounding neighborhood), and that signs are compatible and integrated with their building's architectural character and design (including historic elements), and with other signs on the site; and
- G. Ensure the quality of the City's visual environment and appearance by avoiding sign clutter, signs of excessive size, and signs of poor quality design, and by subjecting certain signs to the necessary discretionary processes.

21.44.020 – Accessory uses. On-premises signs are permitted in all districts as accessory uses only, subject to the provisions outlined in this Chapter.

21.44.030 – Sign permit required.

- A. **Required.** A sign permit is required to display, enlarge, modify, relocate or change in any way, other than to perform general maintenance, repair or complete removal, an on-premises sign in any zoning district, unless such action is expressly exempted by this Chapter.
- B. **Jurisdiction.** The Department of Development Services shall be responsible for reviewing sign permit applications and issuing sign permits.
- C. **Filing Of Application.** Applications for sign permits shall be filed with the Director of Development Services on forms provided by the Department of Development Services. Filing fees, as established by resolution of the City Council, shall be filed with the application. Additional information shall be provided as required by the Director of Development Services.
- D. **Time Limit.** Permits shall be used within one hundred eighty (180) days of issuance, otherwise they shall be null and void.

21.44.035 – Discretionary processes. A waiver from the provisions of these sign regulations shall be considered only through the procedures set forth in this Chapter. Prohibited signs, including those listed in Section 21.44.600 and any sign not specifically permitted, shall not be approved except through the provisions of Division III (Standards Variance) of Chapter 21.25—Specific Procedures.

A. **Sign standards waiver.** Repealed.

B. Creative sign permit.

- 1. This Section establishes standards and procedures for the review and approval of Creative Sign Permits. The purposes of the Creative Sign Permit are to:
 - a. Encourage signs of unique design that exhibit a high degree of imagination, inventiveness, spirit, and thoughtfulness; and
 - b. Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the overall image of the City, while mitigating the impacts of large or unusually designed signs.
- 2. **Applicability.** An applicant may request approval of a Creative Sign Permit in order to allow standards that differ from the provisions of this Chapter but comply with the purpose and findings of this Section. However, the Creative Sign Permit process shall not be used to allow a prohibited sign type or feature.
- 3. **Application.** A Creative Sign Permit application shall include all information and materials required by the Department and the filing fee as specified in the Council's Fee Resolution.
- 4. **Approval authority.** An application for a Creative Sign Permit shall be subject to review and approval or disapproval by the Site Plan Review Committee.

5. **Findings.** In approving an application for a Creative Sign Permit, the Site Plan Review Committee shall ensure that the proposed sign meets the following design criteria (in addition to the findings required in Chapter 21.25—Specific Procedures):
- a. **Design quality.** The sign shall:
 - i. Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area;
 - ii. Be of unique design, and exhibit a high degree of imagination, inventiveness, spirit, and thoughtfulness; and
 - iii. Provide strong graphic character through the imaginative use of color, graphics, proportion, quality materials, scale, and texture.
 - b. **Contextual criteria.** The sign shall contain at least one of the following elements:
 - i. Classic historic design style;
 - ii. Creative image reflecting current or historic character of the City; or
 - iii. Inventive representation of the logo, name, or use of the structure or business.
 - c. **Architectural criteria.** The sign shall:
 - i. Utilize or enhance the architectural elements of the building; and
 - ii. Be placed in a logical location in relation to the overall composition of the building's facade and not cover any key architectural features and details of the facade.
 - d. **Impacts on surrounding uses.** The sign shall be located and designed not to cause light and glare impacts on surrounding uses, especially residential uses.

C. Sign Program.

1. This Section establishes standards and procedures for the review and approval of Sign Programs. The purpose of a Sign Program is to:
 - a. Ensure that all signs on a subject property are of complementary style and design, and are compatible with the architecture and theme of the property,
 - b. Provide a process for the review of said signs to ensure that new developments or major remodels to larger properties achieve the highest quality of design by complementing the development with high-quality signs, and
 - c. Establish special sign criteria and standards for a given property when such additional regulation or waivers from the provisions of this Chapter are considered appropriate and beneficial.
2. **Applicability.** Any sign application submittal for five (5) or more new signs (not including exempt or temporary signs) intended to be placed

on a new or existing development or site shall necessitate application for a Sign Program.

3. **Application.** A Sign Program application shall include all information and materials required by the Department and the filing fee as specified in the Council's Fee Resolution.
 4. **Approval authority.** An application for a Creative Sign Permit shall be subject to review and approval or disapproval by the Site Plan Review Committee.
 5. **Findings.** In approving an application for a Sign Program, the Site Plan Review Committee shall ensure that the proposed signs meet the following design criteria (in addition to the findings required in Chapter 21.25—Specific Procedures):
 - a. All signs on the property (existing and new) must be designed in such a manner so as to be internally consistent, coordinated, and whole within themselves.
 - b. All signs on the property shall complement and enhance the architectural theme of the subject property.
 6. **Waiver of standards.** A waiver from the standards of this Chapter may be granted for a Sign Program through the Creative Sign Permit process. However, prohibited signs shall not be approved through a Sign Program.
- D. **Neon Outlining or Architectural lighting of Buildings.** Neon tubing lighting, stringed lighting, and other architectural lighting used to outline buildings or emphasize architectural elements of a building shall not be considered signs or sign illumination, but rather an architectural element subject to review and approval through the site plan review process as specified in Division V of Chapter 21.25—Specific Procedures.

21.44.050 – General performance and development standards for all signs.

- A. **Signs Subject To Standards.** All signs shall be subject to the development standards specified in this Chapter. The only exceptions shall be for signs that receive waivers from specific standards subject to the Creative Sign Permit or Standards Variance processes; all other standards shall continue to apply.
- B. **Measurement of sign area.** Where sign area is required to be measured for the purposes of this Chapter, it shall be measured in accordance with the definition of "sign area" contained in Section 21.15.2530.
- C. **Maintenance.** All signs shall be kept in a well-maintained condition. No sign shall be displayed which, in the judgment of the Director of Development Services, or his or her designee, is not in good repair and maintained in a safe condition. All signs must be kept free from deterioration, free from defective parts, free from burned out lamps and peeling paint, and must be able to withstand the wind pressure for which it was originally designed.
- D. **Removal of signs.** The following shall apply to removal of signs:

1. **Time limit.** A sign shall be removed within thirty (30) days of disuse of the business, building, or other establishment for which it was emplaced.
 2. **Repair of building after removal.** Within thirty (30) days of the removal of a sign from a building, the wall of the building shall be repaired to remove any blemish left by the removal.
 3. **Removal of support structures.** When a sign is removed, all supporting structures and appurtenances of the sign shall be removed as well.
- E. **Prohibited sign copy.** As the primary purpose of an on-premises sign is identification, and not advertising, therefore no non-exempt sign subject to the development standards of this Chapter shall display any of the following in the sign copy:
1. **Contact information.** This shall include telephone numbers, web addresses, email addresses, other contact methods, and the like.
 2. **Prices of products or services.** No sign shall display prices for products or services. Changeable copy signs, promotional activity signs, electronic message center signs, and gas station price signs are exempt from this requirement.
- F. **Clearance.** The vertical clearance between grade and the lowest point of a sign projecting over a pedestrian or vehicular path shall be 8 feet for pedestrian use and 15 feet for vehicular use. No sign shall project over an alley or at-grade parking space.
- G. **Light control.** No sign or sign lighting source shall cause or allow trespass of light onto any adjacent property, any residential dwelling unit, or into the public right-of-way.

21.44.060 – Design standards for all signs. The following standards shall apply to the design of all signs subject to this Chapter, for the purpose of carrying out the intent and achieving the goals of this Chapter set forth in Section 21.44.010 – Purpose.

- A. **Character.** Signs shall enhance the public realm and aid in the creation of a street's character. No sign shall impede pedestrian traffic, block sight lines in the public viewshed, or disturb adjacent residences.
- B. **Complementary.** The color, material, scale, lettering, and lighting shall complement the surrounding street environment and buildings that the sign addresses.
- C. **Size.** Signs shall never overpower the building. The sign shall fit comfortably into the architecture and character of the building or storefront. Signs shall be mounted in a manner that does not detract from the building's architectural presence and aesthetics.
- D. **Audience.** Signs intended for tourists, locals, or different age groups can suffer from poor sign design. Therefore, regardless of the intended audience, sign design shall conform to these design principles.
- E. **Concise.** Information on signs shall be brief, clear, and simple with appropriately-sized lettering, and a clear information hierarchy. When appropriate, symbols may be used in place of text.

- F. **Illumination.** Lighting used with signs shall be focused and minimal, especially for exterior-lit signs. Lighting shall be in scale with the sign and building. Design of sign illumination shall make every effort to avoid contributing to night-sky light pollution.
- G. **Consistency.** Signs shall be consistent across a building or property. If multiple tenants are listed on a single sign or a multi-tenant building, variation between size and typeface of tenant names and color shall be limited to a palette of three or fewer options.
- H. **Timelessness.** Sign design should convey a timeless character of a street, place, or business, and should avoid design tendencies associated with fleeting trends. Signs also shall be designed with durable, long-lasting materials, and shall be well-maintained.

21.44.062 – Additional design standards for non-residential signs. In addition to the design standards for all signs specified in Section 21.44.060, the following design standards shall apply to all non-residential signs:

- A. Signs should be consistent with the overall design and identity of the building, including the architecture and landscaping. Sign should complement the overall aesthetic of the building and site.
- B. If more than one sign type is necessary on a single façade, all signs shall be scaled in a clear hierarchy and shall address different viewer orientations and audiences.
- C. Buildings with multiple tenants or storefronts shall use the same sign strategy at every entrance, storefront, or tenant suite, in order to reduce sign confusion and present an organized visual environment.
- D. If multiple tenants are listed on a single sign, size and typeface of tenant names shall be kept consistent.
- E. For sites with several buildings, or buildings that are part of an industrial, business, or institutional campus, sign consistency shall be ensured through the following:
 - 1. Signs shall be visible from all public rights-of-way bounding the site, and shall communicate the necessary information clearly.
 - 2. Since campuses may house multiple tenants of differing types, the design identity of signs shall be capable of incorporating an array of styles and typefaces for the differing names and logos. However, the size of tenant names, logos, and color palettes shall be consistent with each other.
- F. Pedestrian-oriented signs are encouraged. Signs shall be scaled appropriately, including window signs, projecting (blade) signs, directory signs, and other pedestrian-oriented signs.
- G. Illumination should be used to accent signs, consistent with the building's character. Trespass of light and glare from sign illumination onto any adjacent dwelling units or other property, whether residential or nonresidential, is strictly prohibited.
- H. Signs and wayfinding features shall be incorporated with public art or placemaking objects where possible.

- I. Placement of signs in the public right-of-way should be uniform and designed at the correct scale for the intended reader, for both motorists and pedestrians.

21.44.064 – Additional design standards for residential signs. In addition to the design standards for all signs specified in Section 21.44.060, the following design standards shall apply to all residential signs:

- A. Signs should be integrated with the building's architecture and landscaping. Signs should be consistent with the design approach and convey a clear hierarchy of information.
- B. Signs shall identify primary entrances, the street address, and other necessary information, while maintaining an understated and minimal aesthetic.
- C. Mixed-use (commercial and residential) projects with commercial uses on the ground floor shall comply with the design standards for non-residential signs specified in Section 21.44.062.
- D. Illumination shall be designed to ensure adequate sign visibility and safety, but shall never create light trespass into residential units or onto adjacent properties.

Division I – Major Signs

21.44.100 – Development Standards – Major signs. Wall signs, projecting (blade) signs, freestanding or monument signs, awning signs, and building identification signs shall all be considered major signs. A freestanding sign and a projecting sign may not be located on the same property, but any other major sign combination is possible subject to the development standards outlined in this Chapter.

21.44.102 – Copy. For all major sign types, sign copy shall be limited to the identification of the business and products or services sold on the premises. Copy shall not be placed on the edges of any sign.

21.44.105 – Standards by zoning districts. Each type of major sign shall be allowed in certain zoning districts as provided in Table 44-1.

**Table 44-1
Zoning Districts for Major Signs**

| Zoning Districts | Sign Types | | | | | |
|--------------------|------------|-----------------|--------------------|---------------|-------------|------------------------------|
| | Wall sign | Projecting sign | Free-standing sign | Monument sign | Awning sign | Building Identification Sign |
| CNP, CNA, CNR | Y | Y | N | Y | Y | Y |
| CCA, CCP, CCR, CCN | Y | Y | Y | Y | Y | Y |

| | | | | | | |
|---|---|---|---|---|---|---|
| CHW, IL, IM, IG, IP | Y | Y | Y | Y | Y | Y |
| All R zones | N | Y | N | Y | Y | Y |
| I, P, PR | Y | Y | Y | Y | Y | Y |
| Residential and mixed-use character PDs* | Y | Y | N | Y | Y | Y |
| Commercial and industrial character PDs* | Y | Y | Y | Y | Y | Y |
| Abbreviations: Y = Yes (permitted), N = Not permitted, PD = Planned Development District | | | | | | |
| * In all PDs, sign regulations specified within each PD ordinance take precedence over the provisions of this Chapter. In cases of doubt, where the several subareas of a given PD are of differing character, the Zoning Administrator shall determine which standards should apply. | | | | | | |

[Placeholder for wall signs graphics plate]

21.44.120 – Wall signs. Wall signs are permitted for any business with frontage on a street, parking lot, public walkway within a mall, or which has exterior building frontage without facing a street, parking lot or mall.

- A. **Number.** One per wall, or one per business for buildings with multiple tenants/businesses fronting on a street. In addition to the primary wall sign, secondary wall signs identifying products or services are permitted provided that the cumulative wall sign area does not exceed the allowable limits established in Subsection 21.44.120.B.
- B. **Area.**
 1. **Wall Facing Street.** The total area of all wall signs facing a street shall not exceed one square foot of sign area per linear foot of building wall; provided, that not more than one hundred (100) square feet shall be allowed on any sign facing a residential, local or collector street and not more than two hundred fifty (250) square feet shall be allowed for any sign facing a major or minor arterial.
 2. **Wall Facing Side Or Rear Yard.** The area of permitted wall signs facing side or rear yards shall not exceed one square foot of sign area for each linear foot of building wall.
 3. **Curved or Angled Wall on a Corner.** A curved or angled wall located on a corner shall be considered to be a separate wall for purposes of this Section.
 4. **Transference Of Sign Area.** Allowed sign area cannot be transferred from one building side or wall to another.
 5. **Icons And Models.** Wall signs in the shape of icons, models, or logos shall be permitted provided that the cumulative wall sign area for all signs does not exceed the allowable limits. To calculate the area of two-dimensional (2-D) signs, the sign's length and width shall be multiplied. The area of three-dimensional (3-D) signs shall be measured as a longitudinal section of the icon or model.

- C. **Height.** The maximum height of wall signs above grade, to the highest point of the sign shall be as follows:
1. For a one-story building, the highest point of the sign shall not be located above the top of the parapet wall for a flat roof, or above the top of a mansard roof, or above the ridge of a sloped roof.
 2. For a multi-story building with commercial tenants on the ground floor only, a wall sign shall not be located above the windowsill line of the second floor. This does not include building identification signs.
 3. For a multi-story building with commercial tenants on the ground floor and floor(s) above, a wall sign shall be located on the same floor as said tenant, and shall not be located above the windowsill line of the floor above said tenant. Wall signs shall not be allowed for commercial tenants on the third story and above. This does not include building identification signs.
 4. For buildings with glass curtain wall systems, signs shall be allowed for ground-floor tenants only and not on any stories above the ground floor. This does not include building identification signs.
- D. **Location.** No wall sign shall extend beyond the perimeter of the signable area on which it is displayed, nor shall it be displayed above the peak of the roof of a sloped roof, or the top of the parapet of a flat-roofed building, or above the top of a mansard roof. No sign shall be located upon an architectural protrusion.
- E. **Projection.** The maximum projection shall be fourteen inches (14"). No wall sign shall project over a public alley, driveway, or parking above grade.
- F. **Design.** The following design standards shall apply to all wall signs:
1. Signs consisting of individual channel letters are strongly preferred. Exposed raceways are prohibited unless necessitated by structural considerations.
 2. Foam letter signs are strongly discouraged. Foam letters must be faced with a material such as plastic or metal. Un-faced foam letters (including those that are painted only) are prohibited. Wall painted signs are preferred over foam letter signs.
 3. New cabinet ("can") signs are prohibited, except in the case of unusually shaped signs or logos that would be onerous to render in channel letter form. Such cabinet signs may be referred to the Site Plan Review Committee for review under a Creative Sign Permit at the discretion of the Zoning Administrator.
 4. Wall signs consisting of the following shall be prohibited:
 - a. Sign copy painted onto a sheet of wood product, plastic, or metal, which is then affixed to the building wall, and

- b. Vinyl lettering or other similar-material copy applied to a wood product, plastic, or metal surface, which is then affixed to the building wall.

G. Wall Painted Signs. Wall painted signs are regulated in Division II – Special Major Sign Types.

[Placeholder for projecting signs graphics plate]

21.44.130 – Projecting (blade) signs. Projecting signs (also known as blade signs), are permitted subject to the following provisions.

- A. **Number.** A business may display one projecting sign per street frontage or parking lot frontage on an adjacent property. Where freestanding signs are allowed, a projecting sign may be permitted in lieu of each freestanding sign.
- B. **Area.** The maximum area of a projecting sign shall not exceed one square foot per linear foot of building frontage from which the sign projects. For double-sided signs, sign area shall be taken from one side of the sign only.
- C. **Height.** No projecting sign shall extend above the adjacent eaves of a sloped roof. A projecting sign shall not extend more than one-third (1/3) of the sign's vertical length above the parapet line of the roof, or be less than eight feet (8') above the grade of the adjoining right-of-way. A projecting sign shall be exempt from the building height limits of the zoning district.
- D. **Location.**
 - 1. Projecting signs shall be attached to a building, and not a pole or other structure.
 - 2. For buildings with multiple businesses, multiple projecting signs shall be separated by at least 25 feet, and only one projecting sign may be located on each building corner.
 - 3. If any portion of a projecting sign is located above a second floor windowsill line, it shall be located a distance away from any such window(s) equal to twice the projection of the sign from the wall in which the window is located, unless the building has a glass curtain wall system.
 - 4. For a building located on a corner lot, the projecting sign is encouraged to be located on the corner or face of the building on the street corner. A vertical projecting sign on a building corner should be mounted at a 45-degree horizontal angle so that its two sides are equally visible from both streets.
- E. **Projection.**
 - 1. No projecting sign shall project more than four feet (4') from the face of the building wall upon which the sign is mounted. If such sign projects

into the public right-of-way, then an encroachment permit must be obtained from the Department of Public Works.

2. No sign may project closer than two feet (2') to the curb line.
3. No sign may project over a public alley.

F. **Design.** The following design standards shall apply to all projecting signs:

1. Individual channel letters on a background are preferred.
2. Plastic-faced cabinet signs are prohibited for use as projecting signs. However, other internally illuminated sign types, such as reverse-channel letter signs, are suitable for use as projecting signs.
3. Projecting signs shall be constructed of high-quality, durable materials and shall be of a permanent nature.

G. **Building permit required.** No sign permit shall be issued for a projecting sign unless a building permit also is obtained. The purpose of this requirement is to prohibit temporary, flimsy, fragile, or other projecting signs of a less-than-permanent nature that would not require a building permit for attachment to a building.

H. **Supporting Device.** Guy wires may be used for lateral support when fully within the horizontal plane of the sign. Any angle iron or secondary support, other than guy wires, must be enclosed in a form constructed of impermeable material so as not to be visible.

[Placeholder for freestanding/monument signs graphics plate]

21.44.140 Freestanding/monument signs. Any self-supporting permanent on-premises sign that is not attached to a building is either a freestanding sign (see Section 21.15.2580), or a monument sign (see Section 21.15.2620). Table 44-1 sets forth the zoning districts in which freestanding and monument signs are allowed. Freestanding and monument signs are permitted subject to the following provisions:

A. **Number.**

1. **Individual Businesses or Shopping Centers.** Any individual business or a shopping center may display one freestanding/monument sign on a property. For each length of street frontage in excess of three hundred feet (300'), a business or group of businesses may display one additional freestanding/monument sign for each additional three hundred feet (300'), or portion thereof, of street frontage abutting the developed portion of the property occupied by the businesses.
2. **Automobile Service Station.** In addition to other signs, an automobile service station may display one freestanding/monument sign per street frontage for the display of fuel prices.

- B. **Area.** The permitted area of freestanding/monument signs shall be as provided in Table 44-2. No sign shall be permitted to exceed the maximum area indicated, regardless of street frontage.
- C. **Height.** The maximum permitted height of a freestanding/monument sign shall not exceed the limits set forth in Table 44-2. The height of a freestanding/monument sign is measured from grade to the highest point of the sign, except that the height of the freeway-oriented freestanding signs, where the freeway elevation is greater than the base of the sign, may be measured from the grade of the freeway lane nearest the sign not including on and off ramps to the highest point of the sign, as illustrated in Figure 44-1 [new graphic to be provided].
- D. **Location.**
1. No freestanding/monument sign shall be located closer to any interior side property line than twenty-five feet (25'). Lots smaller than seventy-five feet (75') wide shall place a freestanding/monument sign no closer to any interior side property line than one third (1/3) the width of the property measured at the street frontage, as indicated in Figure 44-2 [new graphic to be provided]. Lots adjoining freeway or railroad rights-of-way may locate a freestanding sign on the property line adjoining such right-of-way.
 2. Where more than one freestanding sign is used for one business or group of businesses, the minimum distance between two (2) freestanding signs shall be one hundred feet (100').
 3. No freestanding/monument sign shall be located within the required corner cut-off area of a driveway, alley, or street, as defined in Section 21.15.660 and illustrated in Figure 15-4.
- E. **Projection.** No freestanding sign shall overhang the property line adjoining a public right-of-way unless approval has been granted by the Department of Public Works. In any case, no freestanding sign shall project closer than two feet (2') to the curb line.
- F. **Design.** The following design standards shall apply to all freestanding/monument signs:
1. New cabinets signs as freestanding/monument signs are prohibited, except that the portion of the sign identifying individual tenants may consist of an internally-illuminated cabinet with individual faceplates for each tenant.
 2. Freestanding signs should be architectural in nature. The slab-monolith type is encouraged, or alternately a slab with an architectural base, middle, and capital; other architectural designs can be acceptable also. Freestanding signs mounted on one or several bare poles are prohibited.

3. If a freestanding sign is not a slab-type, its support shall be at least half the width of the sign portion and shall be enclosed in an interesting architectural element that complements the sign structure and adjacent building(s). Uncovered structural poles are prohibited.
4. Individual channel letters on a background, or reverse channel letters, are preferred, both for the main sign and the identification of tenants.
5. Any angle iron or secondary support shall be enclosed in a form constructed of impermeable material, such that the angle iron or secondary support is not visible.

Table 44-2

Permitted Size, Max. Area, and Max. Height of Freestanding/Monument Signs

| Type of Freestanding/Monument Sign and Orientation | Permitted Area ^(a) | Maximum Area | Maximum Height |
|---|-------------------------------|---------------------------|----------------|
| Freestanding sign | | | |
| Freeway-oriented | 3 sq. ft./L.F. frontage | 300 sq. ft. | 40 ft. |
| Non-freeway oriented | 2 sq. ft./L.F. frontage | 150 sq. ft. | 25 ft. |
| Monument sign | 1 sq. ft./L.F. frontage | 100 sq. ft. | 8 ft. |
| Fuel price sign (gas stations only) | 15 sq. ft. ^(b) | 15 sq. ft. ^(b) | 12 ft. |
| (a) Square feet of sign area permitted per linear foot of frontage along the abutting street. | | | |
| (b) In addition to the permitted freestanding sign, a price sign is also permitted. | | | |

[Placeholder for awning signs graphics plate]

21.44.160 Awning (or marquee or canopy) signs. Awning and marquee/canopy signs are permitted for each business located on the ground floor and abutting a street, parking lot or public walkway within a mall, excluding alleys and serviceways. Each awning or marquee/canopy may display one sign subject to the following provisions:

- A. **Area.** The area of the sign may not exceed forty percent (40%) of the total face of the awning or marquee/canopy, not to exceed one hundred (100) square feet. The face of the awning shall be measured as shown on Figure 44-4 *[new figure to be provided]*.
- B. **Projection.** The sign may not extend to within two feet (2') of the curb line. Any encroachment over public property shall require approval from the Department of Public Works.
- C. **Limits.** Marquee/canopy signs shall be contained entirely within the perimeter of the fascia of the marquee or canopy.
- D. **Slope.** The face of the marquee, canopy or awning shall slope not more than sixty degrees (60°) from the vertical plane.

E. **Additional under-mounted signs.** In addition to a surface-mounted marquee/canopy sign, a sign which displays the business name only may be mounted on the under surface of the marquee or canopy, provided:

1. The area of the sign does not exceed eight (8) square feet;
2. The clearance from grade is eight feet (8') for pedestrian use and fifteen feet (15') for vehicular use; and
3. The signs are mounted perpendicular to the building wall.

[Placeholder for building identification signs graphics plate]

21.44.170 Building identification signs (commercial and residential).

A. **Commercial Buildings.** Commercial building identification signs in the form of a wall sign may be displayed on any building that is composed of one or more businesses and is at least four (4) stories high.

1. **Number.** One building identification sign is permitted per building face/wall and shall be comprised of the business/building name and/or logo.
2. **Area.** Commercial building identification signs shall not exceed one and one-half (1½) square feet of sign area per every linear foot of building wall and shall not exceed a maximum of three hundred (300) square feet.
3. **Placement.** No commercial building identification sign shall extend beyond the perimeter of the signable wall area on which it is placed, nor shall it be displayed above the peak of the roof or the top of the parapet of a building, or below the lower one-third (1/3) of a building on which it is placed, unless a Creative Sign Permit is approved.
4. **Projection.** The maximum projection shall be fourteen inches (14') from the face of the wall. Any building identification sign projecting over the right-of-way shall require approval from the Director of Public Works.

B. **Multifamily Residential Building Identification.** Multifamily building identification signs are permitted in the form of a wall sign, a freestanding sign, an awning or a marquee/canopy sign subject to the following restrictions:

1. **Number.** One sign is permitted for each street the building abuts.
2. **Design Standards.** The manner in which building identification signs may be displayed shall determine the design standards.
 - a. **Wall Sign.** The identification sign shall comply with all applicable wall sign provisions of this Chapter, except that the total area shall not exceed twenty percent (20%) of the signable area, nor more than five percent (5%) of the building face.

- b. **Monument Sign.** The building identification sign shall comply with all applicable monument sign provisions of this Chapter, except that the maximum area shall not exceed twenty-seven (27) square feet and the maximum height above grade shall not exceed four feet (4') above grade.
- c. **Awning or Marquee/Canopy Sign.** The identification sign shall comply with all applicable awning or marquee/canopy sign provisions of this Chapter.

Division II – Special Major Signs

21.44.200 – Development Standards—Special major signs. Wall painted signs, roof signs, changeable copy signs, residential neighborhood and commercial district identification signs, and historic signs shall all be considered special major signs. These sign types occur less frequently throughout the City and require specific regulation to ensure compatible design with surrounding architecture, signs, and land uses, to ensure that the City's aesthetic goals are achieved.

21.44.210 – Wall-painted signs. A wall-painted sign is intended to take the place of a wall sign, and is painted directly onto the building wall. Wall-painted signs fill an important niche in the sign types this Chapter makes available to the public—they can be established with no building permit or structural review required, at considerably less cost than a permanent wall sign. This is advantageous to small businesses just starting out, and others in similar situations. Wall painted signs also have the potential to make a significant character-enhancing contribution to their immediate surroundings and neighborhood, becoming something of a landmark if well executed. For these reasons, wall-painted signs are preferred over foam letter wall signs in the gamut of low-cost sign types.

- A. **Number, height, location and copy.** Standards for the number, height, location, and copy of wall-painted signs shall be the same as for wall signs, as specified in this Chapter.
- B. **Area.** In order to encourage the selection of a wall-painted sign over foam letters or other low-cost sign types, the allowable area is increased such that wall-painted signs shall not exceed one and one-half (1½) square feet of sign area per every linear foot of building wall and shall not exceed a maximum of one hundred (100) square feet on any sign facing a residential, local or collector street, and not more than two hundred fifty (250) square feet for any sign facing a major or minor arterial.
- C. **Review.** In order to assure a quality design for each wall-painted sign, the wall-painted sign application shall be reviewed by the Site Plan Review Committee, or a sub-committee designated by the SPR Committee for this

purpose, within three weeks of filing, at no fee to the applicant. The SPR Committee shall either approve the application, or direct the applicant to alter the plans in a way that would allow the Committee to approve the application.

21.44.220 – Roof signs. Roof signs shall be permitted through the Creative Sign Permit process only. The area standards for projecting signs shall apply to roof signs. The building height limits established for the zoning districts shall not apply to roof signs.

21.44.230 – Changeable copy signs. Changeable copy signs shall be allowed subject to the following:

- A. **Users limited.** Changeable copy signs are limited to the following users: churches, florists, public schools, public colleges and universities, movie theaters, and gasoline price signs for gas stations. Exceptions to this rule shall require a Standards Variance as described in Division V of Chapter 21.25—Specific Procedures.
- B. **Size.** Changeable copy displays may be installed on freestanding, monument, and wall signs. The area of the changeable copy display shall be counted toward the allowable sign area for the type of sign upon which the changeable copy is installed.

21.44.240 – Residential neighborhood and commercial district identification signs. The City recognizes the desire for unique communities within its boundaries, both residential and commercial, to positively identify themselves and their geographic boundaries. To this end, the following guidelines are established to control the design, content, and location of such identification signs on both private and public property. In addition to these standards, the provisions of Section 21.44.900.A.6 (Signs on public property) also shall apply to any such sign located on public property. Street-name-style Neighborhood Marker Signs mounted on street lights or traffic signal poles are not regulated by this Chapter, and are administered by the Department of Public Works.

- A. **Type of Sign.** Limited to monument signs for residential neighborhood identification. Monument or freestanding signs are allowed for commercial district identification.
- B. **Maximum Height.** Monument signs are limited to a maximum height of four feet (4'). Commercial district identification freestanding signs are limited to a maximum height of fifteen feet (15').
- C. **Maximum Length.** Limited to nine feet (9') long.
- D. **Thickness.** Minimum of three inches (3") to a maximum of one foot (1').
- E. **Materials.** Wood, stone, concrete, stucco, or metal or a combination of these materials.
- F. **Lettering.** Individual letters carved from display or bolted onto display. Fragile or glued-on lettering is prohibited.

- G. **Lighting.** Exterior light sources or internal illumination are allowed. External lights shall be aimed and shielded to prevent any light trespass into the adjacent roadway or adjacent properties.
- H. **Prohibited.** All cabinet signs are prohibited, as well as any plastic or fabric panels or fascia.
- I. **Identification.** Each sign must indicate that the respective neighborhood or commercial district is part of the City of Long Beach, in at least 3-inch-tall letters. The purpose of this regulation is to avoid giving the impression that an area is a separate city or otherwise not a member of the City as a whole.
- J. **Site Plan Review required.** Prior to the issuance of a sign permit (and prior to submittal of plans to the Department of Public Works in the case of a sign located on public property), an identification sign for a residential neighborhood or commercial district shall be subject to review by the Site Plan Review Committee. A fee shall be required as established by Council resolution.
- K. **Waiver of standards.** The standards for height, length, thickness and materials may be waived through the Creative Sign Permit process. Any other deviations from these requirements shall require application for a Standards Variance.

21.44.250 – Historic signs. Any sign designated by City ordinance as a Historic Landmark, or granted historic designation by the California State Historic Preservation Office, or the United States Secretary of the Interior, or any sign that is a historic element of such a designated building or site, shall be considered a historic sign. Historic signs shall be exempt from the requirements of this Chapter as to height, illumination, location, movement, sign area, and materials, and may be maintained as legally conforming signs subject to the following conditions.

- A. All parts of the exempted historic sign including neon tubes, incandescent lights and shields, and sign faces shall be maintained in a functioning condition as historically intended for the sign to the greatest degree possible.
- B. Parts of historic signs originally designed to flash or move may be allowed to continue to flash or move. There shall be no alterations to the historic pattern, speed, or direction of flashing or moving elements.
- C. The wording or image of a historic sign may be altered only if the alterations do not substantially change the historic dimensions, height, scale, style, character, or type of materials of the historic sign.
- D. Failure to maintain a historic sign as required above shall be grounds for disallowing an exemption from the requirements of this Chapter. The Cultural Heritage Commission shall be authorized to make a determination of revocation of exemption. The sign shall thereafter be brought into compliance

with the requirements of this Chapter to the satisfaction of the Director of Development Services.

- E. Full reconstruction or major alteration of a historic sign shall require approval of the Site Plan Review Committee, and the Cultural Heritage Commission in the case of a City-designated Historic Landmark.

Division III – Minor Signs

21.44.300 – Development standards—Minor signs. Menu boards, on-site directional signs, and traffic directional signs shall be considered minor signs subject to the development standards outlined in this Division.

21.44.310 – Menu boards. Menu boards are permitted for drive-through fast food restaurants subject to the following restrictions:

- A. **Number.** In addition to other permitted signs, two freestanding menu boards and one wall sign are permitted for each automobile service window.
- B. **Area.** Menu boards shall not contain more than forty (40) square feet in area.
- C. **Height.** Menu boards shall not exceed seven feet (7') in height above grade.
- D. **Copy.** Menu boards shall contain only the business name, and information related to the food items and prices. The maximum letter size shall be three inches (3").
- E. **Orientation and location.** Each sign shall be oriented to customers on the site, and not toward the adjacent right-of-way. The purpose of these signs is to provide information to customers already on site, and not passers-by. Signs shall not be located within the required corner cutoff areas at driveway or drive-through entrances/exits.

21.44.320 – On-site directional signs. On-site directional signs are permitted at business and institutional sites, for the purpose of directing persons to destinations within the site, subject to the following restrictions. They are intended primarily for land uses with larger parking lots, and/or drive-thru lanes.

- A. **Number.** In addition to other permitted signs, a business or site may display up to four (4) on-site directional signs by right. If a business or site wishes to display five (5) or more on-site directional signs, a Sign Program shall be required.
- B. **Area.** On-site directional signs shall not be more than sixteen (16) square feet in area.
- C. **Height.** On-site directional signs shall not exceed four feet (4') in height above grade.

- D. **Copy.** On-site directional signs shall contain only words such as "Drive-through" (or "Drive-thru"), "Enter," "Exit," and "Do Not Enter," as well as the business name and/or logo. The maximum letter size shall be three inches (3").
- E. **Orientation.** On-site directional signs shall be oriented toward on-site traffic, and not toward the adjacent right-of-way. The purpose of these signs is to provide direction to traffic already on site, and not to traffic on the adjacent right-of-way. Signs shall not be located within the required corner cutoff areas at driveway or drive-through entrances/exits.

21.44.330 – Traffic directional signs. Traffic directional signs, either wall or freestanding, may be displayed as necessary for all land uses to ensure the safe and orderly flow of automobile traffic on private property.

- A. **Copy.** Traffic directional signs are limited to non-commercial messages for the purposes of directing safe flow of automobile traffic. A traffic directional sign shall not provide directions to a particular business, location, or event. Traffic directional signs shall be limited to stop signs, do not enter signs, speed limit signs, left/right turn only signs, no left/right turn signs, and other traffic signs of like purpose.
- B. **Area and Size.** Each sign shall have a maximum area of six (6) square feet, and a maximum height of seven feet (7'), unless waived by the Zoning Administrator upon the recommendation of the City Traffic Engineer.
- C. **Interference with Official Traffic Control Devices.** No traffic directional sign shall interfere with any official public traffic control device. Any traffic directional sign that is found to do so shall be removed or remedied by the property owner upon order by the City Traffic Engineer.
- D. **Conformance with Traffic Control Device Standards.** All traffic directional signs shall be in conformance with the national, state, and local standards for traffic control devices in effect in the City of Long Beach to the satisfaction of the City Traffic Engineer.

Division IV – Temporary Signs

21.44.400 – Temporary signs. Certain classes of signs may be erected as temporary signs subject to the following regulations.

21.44.410 – Promotional activity signs (banners). Promotional activity signs, as defined in Section 21.15.2720 of this Title, are permitted, subject to the following:

- A. **Area.** A promotional activity sign (banner) shall not exceed one square foot of banner area for each linear foot of building street frontage and shall not exceed one hundred (100) square feet, whichever is less.
- B. **Number.** Only one (1) promotional activity sign shall be allowed per street frontage, or per business in the case of a commercial building with multiple business tenants.
- C. **Aspect ratio.** A promotional activity sign shall not have an aspect ratio exceeding 3.0 (3 units length per 1 unit height).
- D. **Location.** Promotional activity signs shall be placed on a building wall only. It shall be prohibited to place a promotional activity sign on a fence, supported from poles or trees, between buildings or walls, upon an existing sign cabinet or structure (whether in use or not), on a building roof or extending above the parapet wall, or upon another structure. Promotional activity signs shall not be placed overhanging or obscuring windows.
- E. **Time Limit.** The following time limits shall apply to promotional activity signs:
1. A promotional activity sign permit shall be valid for only ninety (90) days and shall not be renewable in the same calendar year.
 2. The allowed time period shall be measured in calendar days. The 90-day period may be broken into two 45-day periods or three 30-day periods, provided that the sign is removed at the end of each period.
 3. If the 90 days includes December 31 and January 1, the permit shall be prorated or adjusted accordingly, such that permits are not issued for a site for more than 90 days in a given calendar year, including prior promotional activity sign permits having a portion of the 90 days period in the same year.
- F. **Legalization of promotional activity signs (banners) without permits.** Any promotional activity sign placed without a valid permit shall be subject to the following:
1. If a permit is to be issued, the applicant shall pay double fees;
 2. The duration (in days) that the sign was in place without a permit shall be subtracted from the 90 days allowed for a promotional activity sign if it is to be legalized through a permit;
 3. If the sign was in place for 90 days or more without a permit, the sign shall be removed and no permit shall be issued for the subject location in that calendar year; and
 4. If the duration that the sign was in place without a permit is not known or is not divulged by the applicant, the sign shall be assumed to have been in place for 90 days, and the sign shall be removed, and no promotional activity sign permit shall be issued for the subject location in that calendar year.

G. Exceptions.

1. **Real estate signs and banners.** Real estate signs and banners are considered "permit exempt" signs and are subject to the restrictions specified in Table 44-3.
 2. **Grand opening signs.** One promotional activity sign for a grand opening even shall be allowed for a period of ninety (90) days in a calendar year, in addition to one other promotional activity sign in the same calendar year.
 3. **Automobile sales businesses/dealerships.** Vehicle sales businesses may be exempted from the limitations of this Section on promotional activity signs through the Creative Sign Permit process; except that all pennants, streamers, and inflatable, air-blown, balloon-type and all other prohibited signs or decorations shall be prohibited regardless.
- H. **Street Banners.** Street banners and banners hung across a public street are subject to approval by the City Manager as provided in Section 18.56.050 of the Municipal Code, and are not regulated by this Chapter.
- I. **Maintenance.** Promotional signs shall not be in a condition of disrepair. Disrepair shall include torn, faded, sagging, or dirty signs, and signs with a message that is outdated or no longer relevant. Signs in disrepair shall be removed, or may be restored or repaired if still within the permitted 90-day period.

21.44.420 – Political signs. Political campaign signs are not regulated as a separate class of signs.

21.44.430 – Subdivision signs. Subdivision signs advertising the initial sale or lease of residential units within a single contiguous grouping comprised of fifteen or more dwelling units, or fifteen or more lots, are permitted, subject to the following regulations:

- A. **Display Period.** A subdivision sign may be displayed during the period of construction and for a period not to exceed six months from the date which eighty percent of the units have received certificate of occupancy, or until all of the units or lots have been sold or leased, whichever occurs first.
- B. **Permitted Sign Types.** Only non-illuminated, freestanding signs are permitted.
- C. **Number.** One sign is allowed, plus one additional sign for each fifty dwelling units or lots in the subdivision, or one plus one for each five acres in the subdivision, whichever is less.
- D. **Sign Area and Height.** The size of a subdivision sign shall not exceed two hundred square feet, and the height shall not exceed fifteen feet, measured from grade to the highest point of signs.

Division V – Permit Exempt Signs

21.44.500 – Permit exempt signs. The classes of signs set forth in this Section are exempt from the application, permit and fee requirements for on-premises signs, provided the exempt signs conform to Table 44-3—Exempt Signs. This Section shall not exempt such signs from other provisions of the Municipal Code, including but not limited to those that may require building or electrical permits.

**Table 44-3
Permit Exempt Signs**

| Class of Sign | Maximum Size | Maximum Number | Other Conditions |
|--|---|--|---|
| 1. Building directory sign identifying building occupants | 18 sq. ft. | 1 per parking lot entry and building entry | <ul style="list-style-type: none"> –If changeable copy used, must be glass encased –Must be visible from sidewalk or parking lot |
| 2. Interior signs | Area of sign must be less than 25% of total area of window through which it is exhibited | No maximum limit | <ul style="list-style-type: none"> –Must be located between 1 foot to 6 feet to the interior of any window from which sign is visible –Sign may not flash, rotate or exhibit any other prohibited characteristics |
| 3. Public service and accessory signs identifying public conveniences (e.g., restrooms, telephones, hours of operation, vacancies) | Total area of all signs visible from any one street shall not exceed 10 sq. ft. | No maximum limit | None |
| 4. Theater outer lobby posters advertising current or coming attractions | No regulations | No maximum limit | Must be glass encased |
| 5. Window signs | Total of all signs displayed in any one window may not cover more than 10% of total window area | No maximum limit | <ul style="list-style-type: none"> –Each window shall be calculated separately. –Must be placed in such a manner so as to not obstruct visibility into business. |

| Class of Sign | Maximum Size | Maximum Number | Other Conditions |
|---|---|---|---|
| 6. Any other non-prohibited sign, if less than 3 sq. ft. | Not to exceed 3 sq. ft. | No maximum limit | No sign shall be placed on public property or vacant property. |
| 7. Construction sign identifying firms involved in construction site, future tenants, or announcing development | Height—15 ft. Area—No specifications | 1 per street abutting construction site | —Must be removed within 15 days of completion of construction —No illumination permitted |
| 8. Flags | Length—9 ft. Width—6 ft. | 3 flags | —Flag pole height shall be limited to the established building height for each respective zoning district. —Flag signs are prohibited, as defined in Section 21.15.2510. —Decorative flags are prohibited; see Section 21.44.600. |
| 9. Garage sale signs | Height—4 ft. Area—6 sq. ft. | 1 per garage sale on same premises | No sign shall be placed on public property. |
| 10. Open house signs or flags/banners | Height—4 ft. Area—6 sq. ft. | No maximum limit | —May be used on temporary basis only when house is open for inspection without an appointment —May not be placed on public property |
| 11. Real estate signs (on-premises) advertising sale, rental or lease of property | Height—8 ft. Area— a) Non-residential use—16 sq. ft. b) Residential use—6 sq. ft. for first dwelling unit plus 1 sq. ft. for each additional unit up to 16 sq. ft. maximum | 1 per lot | —Types limited to non-illuminated wall, window, or free-standing signs —No signs may be placed on public property —Signs may be displayed only during the period the premises is held for sale, rental or lease, and for not more than 15 days thereafter —Signs must be maintained in good condition. |

| Class of Sign | Maximum Size | Maximum Number | Other Conditions |
|---|--|---|---|
| 12. Real estate banners | Height—no specifications Area—16 sq. ft., or 6 sq. ft. plus 1 sq. ft. for each additional unit, whichever is less Aspect Ratio—maximum aspect ratio of 3.0 (3 units length to 1 unit height) | 1 banner in addition to 1 non-banner real estate sign on each lot | —Banners must be placed on a building wall and may not be mounted on poles, fences, above the roof deck/roof line, etc. —Banners may be displayed only during the period the premises is held for sale, rental or lease, and for not more than 15 days thereafter —Banners must be maintained in good condition, with current information, and must be replaced when worn or dilapidated. |
| 13. Single-family residential sign identifying resident | Not to exceed 2 sq. ft. | 1 per residence | None |
| 14. Warning signs (e.g., "Danger," "No Dumping") | No specifications | As necessary per warning | None |
| 15. Street address signs | No specifications | 1 per address per street frontage | Minimum letter height of 4 inches |
| 16. Signs painted on parking lot surface | No specification | No specifications | Must contain directional information only and no commercial message |
| Abbreviations: sq. ft. = square feet ft. = feet | | | |

Division VI – Prohibited Signs

21.44.600 – Prohibited signs. The following signs shall be prohibited:

- A. **Unlawful Sign Projections.** No sign shall project into an adjoining private property under separate ownership, or into a public right-of-way or into an established setback unless an encroachment permit has been issued by the City Engineer.
- B. **Flashing Signs.** No sign shall flash, shimmer or glitter, nor give the appearance of flashing, shimmering or glittering.
- C. **Rotating Signs.** No sign shall rotate, oscillate or otherwise move, nor give the appearance of rotating, oscillating or moving.
- D. **Sound, Odor, Particulate Matter.** No sign shall emit audible sound, odor or particulate matter.

E. Unlawful Illumination.

1. No sign illumination system shall contain or use any beacon, spot, or stroboscopic light, or reflector which is visible from any public right-of-way or adjacent property.
2. Generally, illuminated signs shall not be allowed to change color or light intensity. The exception being neon, fiber optic, or light-emitting diode (LED) light sources, which are permitted to gradually change color. Light intensity shall not be allowed to change.
3. No floodlight shall be used which is not hooded or shielded so that the light source is not visible from any public right-of-way, adjacent property, or residential dwelling unit.

F. Portable Signs. Portable signs are prohibited, except that a portable sign may be displayed to indicate a temporarily closed vehicular entrance or exit for purposes of public safety or convenience.

G. Street Furniture. Signs shall not be placed on street furniture, as defined in this Title.

H. Vehicle Signs. Signs identifying a business shall not be affixed to or placed in or on vehicles parked in the public right-of-way or on private property in a manner such that the vehicle functions as a sign. This regulation shall not apply to buses and taxicabs legally operating within the City limits, or to other permitted uses regulated under other Titles of the Municipal Code. However, mobile billboards are prohibited in Chapter 21.54 (Billboards).

I. Obstruction of Use or Visibility. No sign shall be located so that any portion of the sign or its supports interferes with the free use of any fire escape or exit or obstructs any required fire standpipe, stairway, door, ventilator or window; nor shall any sign be located so as to obstruct the visibility (corner cut-off areas) of vehicles or pedestrians using driveways or doorways.

J. Interference with Utility Lines. No sign shall be located which has less horizontal or vertical clearance from utility lines than that prescribed by the rules of the Public Utilities Commission of the State.

K. Interference with Official Traffic Control Devices. No sign shall appear in color, wording, design, location or illumination to resemble or conflict with any traffic control device.

L. Inflatable and Air-Blown Signs. Any signs or decorations that are inflatable, such as balloons of any size or shape, and any signs that are air-blown or inflated or animated by the internal flow of air, such as signs that appear to have a waving body and appendages, are prohibited.

M. Flag Signs. Flag signs (as defined in Section 21.15.2510) are prohibited. This includes any type of flag that functions as a sign, whether affixed to a building or not, including but not limited to those mounted on curved or

flexible swivel masts and commonly referred to as “sails,” “feathers,” or “bow banners.”

- N. **Decorative flags.** Flags with no intrinsic meaning (usually, but not limited to, simple flags of one or several colors, with or without a design motif), which are intended only to draw attention to or decorate a building, business, or other site or location, are prohibited. However, nothing in this Subsection shall be construed to prohibit any flag that constitutes a protected form of expression and is in compliance with all other applicable provisions of the Municipal Code.
- O. **Streamers, pennants, balloons, and the like.** All types of signs and decorations that can be considered streamers, pennants, balloons, and the like shall be prohibited.
- P. **Projected light signs.** Any sign created by projecting light onto a surface is prohibited.
- Q. **Electronic message center signs.** Electronic message center signs are prohibited; see Division VIII.
- R. Any sign not exempted or permitted by this Chapter shall be prohibited.

Division VII – Nonconforming, Abandoned and Illegal Signs and Other Provisions

21.44.710 – Nonconforming signs. It is the intent of this section to recognize that the eventual elimination of existing on-premises signs that do not conform to this Chapter is as important to Citywide aesthetic and health, safety and welfare as is the prohibition of new signs that would violate the provisions of this Chapter. It is also recognized that nonconforming signs should be eliminated as expeditiously and fairly as possible in a manner that avoids any reasonable invasion of established property rights.

- A. **Continuation of Use.** A nonconforming on-premises sign may be continued in operation and maintained after the effective date of the ordinance codified in this title, provided that nonconforming signs shall not be:
 - 1. Changed to another nonconforming sign; or
 - 2. Structurally altered so as to extend the useful life of the sign; or
 - 3. Expanded; or
 - 4. Reestablished after damage or destruction of more than fifty percent of the sign value at the time of such damage or destruction. The copy on non-conforming signs may be changed without affecting their nonconforming status, provided the content of the new copy is consistent with the provisions of this code, and a building permit is not required to change the copy.

B. Amortization.

1. Permanent nonconforming signs shall be removed or brought into compliance with the provisions of this Chapter under the following circumstances:
 - a. Whenever the business, building, or other establishment for which the sign was emplaced is vacated, or
 - b. Whenever there is a change in the business license for the owner or lessee of a property on which there is a permanent nonconforming sign(s), the nonconforming sign(s) shall be removed or brought into compliance with the provisions of this chapter prior to the effective date of the new owner's or lessee's business license, or
 - c. Upon approval of a building or electrical permit to modify a nonconforming sign, the nonconforming sign shall be brought into compliance with the provisions of this Chapter.
2. Nonconforming wall-painted signs shall be painted out, or brought into compliance with the provisions of this Chapter when there is a change in business ownership or lessee of the property.
3. Historic signs shall be exempt from amortization, as provided in Section 21.44.250.

21.44.720 – Abandoned signs. All abandoned signs, as “abandoned” is defined in Section 21.15.030, shall be removed immediately.

21.44.730 – Illegal signs. All illegal signs have no vested rights and shall be removed or made to conform to the provisions of this Chapter immediately.

21.44.740 – Administrative removal of signs. Signs may be removed by the City in accordance with the following procedures:

A. Illegal or Dilapidated Signs. If the Director of Development Services, or his or her designee, finds that a sign is in violation of this Chapter, or is in disrepair, defaced, deteriorated (including peeling paint), prohibited, abandoned, illegal, or is in violation of the Building Code or any other laws and ordinances, he shall seek correction of the violations as provided for in the Municipal Code, including the Administrative Citation process. The Director of Development Services shall inform the sign owner by a written notice if the sign is to be removed.

B. Safety Hazard or On Public Right-Of-Way. The City Engineer, or his designee, without giving notice, shall have the authority to authorize removal of any sign which:

1. Poses an immediate threat to public safety; or

2. Is displayed in violation of the provisions of this Chapter or other City ordinances on or over any public right-of-way or public property.

Division VIII – Electronic Message Center Signs

21.44.800 – Electronic message center signs prohibited. Electronic message center signs, as defined in Section 21.15.2577, are prohibited.

21.44.805 – Existing electronic message center signs. Existing, legally-established electronic message center signs may be used and maintained as legal nonconforming signs, subject to the provisions of Section 21.44.710(A) – Continuation of use.

21.44.810 – Amortization of existing electronic message center signs. Existing electronic message center signs shall be exempt from the amortization requirements of Section 21.44.710(B), due to the typically high investment made in an electronic message center sign. However, it is the intent of this Section to require the eventual elimination of existing nonconforming electronic message center signs, to carry out the intent and purpose stated in Section 21.44.710. It is also the intent of this Section to ensure that the elimination of nonconforming electronic message center signs occurs as expeditiously and fairly as possible and avoids any unreasonable invasion of established property rights. Therefore, a nonconforming electronic message center sign shall be allowed to remain in existence five (5) years after notice to remove said nonconforming sign has been issued by the City, in order that the value of the electronic message center sign may be amortized. Upon expiration of the five (5) year period, said sign shall be removed.

Division IX – Signs on Public Property

21.44.900 – Signs on public property.

- A. **Applicability.** No person, except a public officer or employee performing a public duty, shall place any sign on, above, along or within any public property. This prohibition does not apply to:
 1. Temporary promotional activity signs in public parks in connection with activities or uses approved by the City;
 2. Street banners, temporary holiday season decorations, and other street decorations on or suspended from lamp poles or other public structures shall be permitted when approved by the Director of Public Works and the City Manager;

3. Signs authorized by the City inside publicly owned places of assemblage such as convention halls, auditoriums, sports arenas or stadiums which are used in a proprietary capacity;
4. Wall signs for on-premises advertising on buildings used by concessionaires or other private commercial users or lessees of public property, when authorized by departments or agencies of the City in their proprietary capacity, and provided that any such signs comply with the provisions of Section 21.44.130 pertaining to wall or pylon signs;
5. Painting of house numbers upon curbs in compliance with the requirements of this Code;
6. Residential neighborhood and commercial district identification signs (see Section 21.44.240) provided:
 - a. The signs are located in parkways or in the median island of divided highways;
 - b. The signs shall comply with the established design guidelines in this Chapter; and
 - c. The applicant has a written construction and maintenance agreement approved by the Director of Public Works.
7. Advertising, advertising displays or donor recognition permitted pursuant to Chapter 16.55

B. Permit Required. Any person who intends to place a private sign on public property as permitted by Subsection 21.44.090.A shall first obtain a permit from either the Director of Public Works or in the case of public property used in a proprietary capacity, from the department or agency of the City in charge of such property. A permit application form shall be provided by the City. The City Council, by resolution, may establish permit fees and may authorize rental rates or other appropriate charges for this permitted use of public property.

C. In the Coastal Zone:

1. On the sandy beach, the placement of private freestanding signs is prohibited.
2. Prior to the placement of any private sign on public property located adjacent to the sandy beach, a coastal development permit shall be approved for a comprehensive sign plan. A comprehensive sign plan shall include specific standards for the size, number and location of proposed signs. A coastal development permit for a comprehensive sign plan shall be approved only if a positive finding is made that the sign or signs included in the plan do not:
 - a. Obstruct public views to or along the coast;

- b. Adversely impact public access to and use of the water;
- c. Adversely impact public recreational use of a public park or beach; or
- d. Otherwise adversely affect recreation, access or the visual resources of the coast.

3. A coastal development permit shall be required for any sign placed on public property in the Coastal Zone, except that a coastal development permit shall not be required for: wall signs; signs on the interior of structures; signs comprised solely of paint on existing structures; temporary banners, and flags displayed for a period not to exceed ninety (90) days; warning signs; traffic safety signs; and public service signs less than four (4) square feet that identify public conveniences (e.g., restrooms, telephones, hours of operation, government ordinances). A coastal development permit for a sign on public property shall be approved only if a positive finding is made that the sign design and scale does not:

- a. Obstruct views to or along the coast from publicly accessible places;
- b. Adversely impact public access to and use of the water;
- c. Adversely impact public recreational use of a public park or beach; or
- d. Otherwise adversely affect recreation, access or the visual resources of the coast.

D. Removal of Signs. Any sign permitted on public property shall be removed by the party responsible for its posting immediately after the conclusion of the advertised event or by the removal date established by ordinance, regulation, contract or event. If such sign is not removed by that time, it shall be deemed abandoned and may be summarily removed by the City. The person or entity responsible for posting said sign shall be liable for the City's costs incurred in the removal of such sign, and the City Manager or his/her designee is authorized to collect said costs.

E. Illegal Signs. Any sign placed on public property in violation of the provisions of this Section is declared a public nuisance and may be summarily removed by the City. The person or entity responsible for such illegal posting shall be liable for the City's costs incurred in the removal of such sign, and the City Manager or his/her designee is authorized to collect said costs.