

**Chapter 17.640**

**SIGN ORDINANCE**

- 17.640.001 Title and Purpose of Provisions**
- 17.640.002 Compliance Required**
- 17.640.003 General Provisions**
- 17.640.004 Definitions**
- 17.640.005 Signs Allowed Without Sign Permits – Nonresidential Land Uses**
- 17.640.006 Signs Allowed Without Sign Permits – Residential Land Uses**
- 17.640.007 Temporary Signs Requiring a Sign Permit**
- 17.640.008 Permanent Signs Requiring a Sign Permit**
- 17.640.009 Prohibited Signs**
- 17.640.010 Nuisance**
- 17.640.011 Severability**

**17.640.001 Title and Purpose of Provisions**

**A. Title**

This chapter shall be known as the sign ordinance of the City of Brentwood, California.

**B. Authority**

This chapter is adopted pursuant to the City's general and police powers, California Constitution Article XI, Section 7; California Government Code Sections 65000 *et seq.*, 65850(b), 38774, and 38775; Business and Professions Code Sections 5200 *et seq.*, 5230, 5490 *et seq.*, 13530 *et seq.* and 13540; Penal Code Section 556 *et seq.*; and other applicable state laws.

**C. Regulatory Scope**

This chapter regulates signs, as defined herein, which are within the legal corporate limits of the City, but not on City property, as defined herein, or within the DT (Downtown Zone). Signs on City property are controlled by Chapter 17.645. Signs on property located within the DT (Downtown) Zone are regulated by Chapter 17.280.

**D. Purpose and Intent**

The purpose of this chapter is to create and enforce a comprehensive system for the reasonable regulation of signs within the City. By adopting this chapter, the City intends to balance many competing interests, which include but are not limited to the following:

1. To allow exercise of the free speech right by the display of a sign.
2. To protect and enhance the character of residential neighborhoods and business areas, open views and vistas.
3. To protect and enhance property values.
4. To provide a reasonable and comprehensive system of sign controls.

5. To serve the City's aesthetic interest by minimizing visual clutter while accommodating reasonable signage as a major and necessary form of communication.
6. To state rules for fair treatment of all sign users.
7. To promote public safety by reducing driver distraction while providing that official traffic regulation devices be easily visible and free from nearby visual obstructions such as blinking signs, and by prohibiting or limiting signs that constitute a traffic hazard or obstruct the visibility of motorists, bicyclists or pedestrians.
8. To reduce visual clutter by prohibiting the installation of new billboards, oversized signs, roof signs, animated signs and other types of signage.

#### **17.640.002 Compliance Required**

Signs, as defined herein, may be displayed within the City only in compliance with this chapter and the rules stated herein.

#### **17.640.003 General Provisions**

##### **A. Permit Generally Required**

All signs shall conform to the standards set forth in this chapter and unless exempted from the permit requirement shall be installed or displayed only pursuant to a sign permit and any other applicable permits and approvals.

##### **B. Maintenance**

All signs and their immediate surroundings shall be maintained by the owner and/or occupant of the premises in a clean, sanitary and inoffensive condition and free and clean of all obnoxious substances, rubbish and weeds.

##### **C. Discretionary Approvals**

Whenever a sign or a proposed sign is subject to any discretionary review, permit, or approval, such discretion may be exercised only as to the compatibility of the sign with its location, and other structural, architectural and location factors. Discretion may not be exercised as to the artistic merit of the proposed sign or the message itself so long as such message is not excluded from First Amendment (U.S. Constitution) protection under relevant court decisions.

##### **D. Compatibility Factors**

In determining compatibility of a sign with its surrounding environment, the following criteria shall be considered:

1. Style or character of existing improvements upon the site and properties adjacent to the site.
2. Visual elements such as construction materials, design details, and the number and spacing of signs in the area.

3. The sign's height, design, and location in relation to its proposed location and use.
4. The sign's spatial and visual relationship with other nearby signs, other elements of street and site furniture and with adjacent structures.
5. Form, proportion, scale, materials, surface treatment, and overall sign size.
6. Potential effect of the proposed sign on driver and pedestrian safety.
7. Potential blocking of view (whole or partial) of a structure or façade or public view of historical or architectural significance.
8. Potential obstruction of views of users of adjacent buildings to side yards, front yards, open space, or parks.
9. Potential negative impact on visual quality of public spaces, including but not limited to recreation facilities, public squares, plazas, courtyards and the like.
10. Whether the sign structure will impose an aesthetically foreign or inharmonious element into the existing skyline or local viewscape.

#### **E. Administrative Interpretations**

All interpretations of this chapter are to be exercised in light of the message neutrality and message substitution policies. Where a particular type of sign is proposed, and the type is neither expressly allowed nor prohibited by this chapter, or whenever a sign does not qualify as a "structure" as defined in the Building Code, as adopted by the City of Brentwood, then the Planning Commission or Director, as applicable, shall approve, conditionally approve or disapprove the application based on the most similar sign type, using physical and structural similarity, that is expressly regulated by this chapter.

#### **F. Message Neutrality**

It is the City's policy and intent to regulate signs in a manner consistent with the U.S. and California constitutions, which is content neutral as to non-commercial speech and does not favor commercial speech over non-commercial speech.

#### **G. Message Substitution**

Subject to the property owner's consent, a non-commercial message of any category or content may be substituted, in whole or in part, for any allowed commercial message or any non-commercial message, provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. The purpose of this provision is to prevent any favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. Message substitution is a continuing right which may be exercised any number of times. This provision does not:

1. Create a right to increase the total amount of sign area on a site.

2. Create a right to substitute an off-site commercial message in place of an on-site commercial message or in place of a non-commercial message.
3. Affect the requirement that a sign structure or mounting device must be properly permitted.
4. Authorize changing the physical method of image presentation (such as digital or neon) display without a permit.

## **H. Billboard Policy**

New billboards, as defined herein, are prohibited. It is a fundamental land use policy of the City to completely prohibit the construction, erection or use of any and all billboards, other than those which legally exist in the city, or for which a valid permit has been issued and has not expired, as of the date on which this chapter, or when a prior version of this chapter containing a provision to the same effect, was adopted. In adopting this chapter, the City Council affirmatively declares that it would have adopted this policy even if it were the only provision in this chapter. The City Council intends for this billboard policy to be severable and separately enforceable even if other provision(s) of this chapter may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid or unenforceable. This prohibition does not apply to agreements to relocate presently existing legal billboards as encouraged by State law including, but not limited to, Business and Professional Code Section 5412, as that section may be amended from time to time.

### **17.640.004 Definitions**

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

“Animated sign” means a sign on which the visual image changes more frequently than once every 24 hours, regardless of the method by which the visual change is affected. This definition does not include hand-held signs, personally attended signs, personal apparel, commercial mascots, motor fuel price signs, time and temperature devices or scoreboards. Animated signs include electronic message signs, commonly called digital signs.

“Awning” means a roof or cover which projects from a wall of a building over a window or door, which is made of canvas, aluminum or similar material, and may be fixed in place or be retractable.

“Banner sign” means a sign made of a flexible material that projects from or hangs from a building, structure, pole or wire. Banner signs do not include pennants, flags or flex wing signs.

“Billboard” means a permanent sign structure in a fixed location which meets any one or more of the following criteria:

1. It is used for the display of off-site commercial messages.
2. It is used for general advertising.

3. The message display area, or any part thereof, is made available to message sponsors other than the owner(s) or operator(s) of the sign.
4. The sign is a principal or secondary use of the land, rather than appurtenant or accessory to some other principal use of the land.

“City property” means any parcel of land that is owned or controlled by the City of Brentwood, or any of its related entities, or that is within the public right-of-way.

“Commercial mascot” means a person or animal attired or decorated with commercial insignia, images, costumes, masks or symbols, and/or holding signs displaying commercial messages, when a principal purpose is to draw attention to or advertise a commercial enterprise. This definition includes sign twirlers.

“Commercial message” means a message which proposes a commercial transaction or pertains primarily to the economic and commercial interests of the message sponsor and/or the sign audience.

“Construction site sign” means a sign that is displayed on the site of a construction development project during the period of time of actual construction.

“Convenience sign” means a sign whose message provides functional information for the convenience of the public, such as hours of operation, credit cards accepted, entrance and exit locations and restroom directions.

“Directional sign” means a sign whose message provides directional information for drivers and pedestrians.

“Director” means the City’s Community Development Director, or his/her designee.

“Election period” means that period of time which begins 45 days before a special, general, or primary election, and ends five days after such election.

“Electronic message sign” means an animated sign using electronic or digital technology, including but not limited to LED (light emitting diodes) or plasma, or their functional equivalent, which is capable of displaying changing or changeable images, whether as a series of still images or a full motion, or any combination thereof.

“Establishment” means any legal use of land, other than long-term residential, which involves the use of structures subject to the Building Code. By way of example and not limitation, this definition includes businesses, factories, farms, schools, hospitals, hotels and motels, offices and libraries, but does not include single-family homes, mobile homes, residential apartments, residential care facilities, or residential condominiums. Multi-unit housing developments are considered establishments during the time of construction; individual units are not within the meaning of establishment, however, once a certificate of occupancy has been issued or once a full-time residency begins.

“Flag” means a piece of fabric or other flexible material, usually rectangular, of distinctive design, used as a symbol.

“Flex wing sign” means a sign which is typically inserted in the ground and is made of flexible material attached to a flexible pole (typically with a hook shape).

“Freestanding sign” means a sign which is self-supported by mounting on the ground, in contrast to being attached to and/or supported by some other structure, such as a wall, door or window.

“Garage sale sign” means a sign whose message concerns short-term rummage, estate, boutique or garage sales of used or handmade common household items from a residential property.

“General advertising” means the enterprise of advertising or promoting other businesses or causes using methods of advertising, in contrast to self-promotion or on-site advertising. This is also known as “advertising for hire” or “general advertising for hire.”

“Ground sign” means a freestanding sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground (also known as a pedestal or monument sign).

“Illegal sign” means a sign that was installed without proper City or other approvals and/or permits at the time it was initially installed, and which has not been legalized by later action. This definition also includes a sign that was erected in conformance with all applicable laws, rules, and regulations in effect at the time of installation, but which was subsequently altered so as to be out of compliance with applicable law, including the terms of permits which authorized construction. All signs described in Business and Professions Code section 5499.1 and defined therein as an “illegal on-premises advertising display” are also within this definition.

“Illuminated sign” means a sign that uses light sources (other than natural light or ambient light) to decorate, outline, accentuate or brighten the sign display area.

“Inflatable object” means an object that is activated by natural or mechanical wind or air, including holiday decorations, symbols and other similar types of objects.

“Legal nonconforming sign” means a sign which complied with all applicable laws, rules and policies at the time of installation, and which has not been expanded beyond the originally applicable rules, but which does not conform to current applicable law and rules.

“Marquee” means a permanent roofed structure attached to and supported by a building and projecting over any public property, street, alley or sidewalk.

“Master sign program” means a program that establishes the sign development regulations and specifies an integrated sign design concept for multiple occupancy commercial sites.

“Mobile billboard” means a sign display area on a wheeled vehicle (whether motorized or not) or water craft, which may be legally operated upon any public road, street or waterway and meets any of the criteria listed under the definition of “billboard.”

“Motor fuel price sign” means a sign as specified in Business and Professions Code section 13530 et seq., with a message limited to that required by state law.

“Multiple occupancy commercial site” means a parcel or contiguous parcels of land, as designated in the current assessor’s map book, whereon two or more separate independently owned or operated commercial structures or establishments are located.

“Name plate” means a sign that displays information about the name of the occupants of a residential dwelling unit, and/or the street address.

“Neighborhood identification sign” means a sign that identifies a neighborhood that is officially designated by the City.

“Non-commercial message” means a constitutionally protected message that is not commercial in nature. Non-commercial messages on signs typically address topics of public concern or controversy such as, by way of example and not limitation, politics, religion, philosophy, science, art or social commentary. The on-site/off-site distinction does not apply to non-commercial messages or signs displaying them.

“Off-site sign” means a sign that advertises commercial products, accommodations, services or activities not provided in or on the property upon which it is located. The on-site/off-site distinction applies only to commercial messages.

“On-site sign” means a sign that advertises the commercial business, accommodation, services or activities provided on the premises on which the sign is located, or expected to be provided in the near future. In the case of redevelopment projects, all establishments within the project are on-site as to any and all signs that are also located within the project. In the case of developments subject to a master sign program, all establishments subject to the program are considered on-site whenever located within any space subject to the program. Similarly, all establishments within a shopping center are on-site as to any sign(s) also located within that shopping center. As to construction signs, “on-site” includes all parties involved in the specific construction project. The on-site/off-site distinction applies only to commercial messages.

“Pennant” means any lightweight flexible plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, in a series of two or more, designed to move in the wind.

“Permanent sign” means a sign which is constructed of rigid material and is securely attached to a building, wall, fence, sign structure or into the ground, and is designed for and intended to be on display long term.

“Pole sign” means a freestanding sign that is wholly supported by a structure consisting of poles or posts in the ground, such that the bottom edge of the sign face is six feet or more above grade.

“Portable ground sign” means a sign which is self supported by one or more upright poles or faces and is placed upon or into the ground for a short period of time and is easily movable. This definition includes structures which are more commonly referred to as “A-frame” or “sandwich board” signs.

“Portable sign” means a sign that meets one or more of the following criteria:

1. A sign that is not permanently attached or designed to be permanently attached to the ground or other permanent structure, and may be easily moved.
2. A sign that is designed to be transported by means of wheels, skids, runners, or moveable frames.

3. "A-frame" or "T-frame" signs.
4. The functional equivalent of any of these categories, however, "commercial mascots" are not included within this definition.

"Professional name plate" means a sign indicating the name or names and occupations of a professional person or group of associated professional persons occupying the premises.

"Projecting sign" means a sign that is attached to a wall in such a manner that the body of the sign extends perpendicular to the wall to which it is attached, or a ground sign that extends partially over a public right-of-way.

"Protected" means a message that is within the protection of the First Amendment to the United States constitution and/or corollary provisions of the California constitution, and has not been excluded from such protection by court decisions.

"Real estate sign" means a sign whose message concerns a proposed transaction, such as sale, lease, or exchange, of real property. Signs on establishments offering transient occupancy, such as hotels, motels, inns and bed and breakfast places, concerning vacancies and rates, are not included within this definition. All signs described in Civil Code 713 are included within this definition.

"Roof sign" means a sign erected, painted or otherwise attached to the top of a roof of a building or other structure.

"Safety code" means a code that defines and requires safe methods of construction or demolition, including but not limited to the codes for building, electrical, plumbing, grading, or demolition.

"Sign" means the public display of visual images, which is intended to be communicative in some way, and which advertises, informs, projects, displays or identifies persons, businesses, commodities, services, ideas or information, when such is visible from any portion of the public right-of-way or from any exterior place which is open to the public. This definition includes, but is not limited to, all writing, trademarks, graphic design elements, illustrations and lighting primarily directed at facilitating communication, as well as all supporting structures. Notwithstanding the generality of the foregoing, the following are not within the definition of sign:

1. Aerial banners towed behind aircraft.
2. Architectural features – decorative or architectural features of buildings (not including lettering, trademarks or moving parts), which do not perform a communicative function (examples include color stripes around an office building or retail store).
3. Automated Teller Machines (ATM's), when not used for general advertising.
4. Cornerstones and foundation stones.
5. The legal use of fireworks, candles and artificial lighting not otherwise regulated by this chapter.

6. Grave markers, gravestones, headstones, mausoleums, shrines, and other markers of the deceased.
7. Historical monuments, plaques and tablets.
8. Holiday and cultural observance decorations, including inflatable objects, on private residential property which are on display for not more than 45 calendar days per year (cumulative, per dwelling unit) and which do not include commercial messages.
9. Inflatable gymnasiums associated with legal residential uses – inflatable, temporary, moveable, gymnasium devices commonly used for children’s birthday parties, and similar devices (also called “party jumps” or “bounce houses”), including balloons.
10. Interior graphics – visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof.
11. California State Lottery signs, approved by the Lottery Commission for display by Lottery Game Retailers, in accordance with the California Government Code.
12. Manufacturers’ marks – marks on tangible products, which identify the maker, seller, provider or product, and which customarily remain attached to the product even after sale.
13. Mass transit graphics – graphic images mounted on duly licensed and authorized mass transit vehicles that legally pass through the city.
14. News racks, newspaper vending devices and newsstands.
15. Searchlights used as part of a search and rescue or other emergency service operation (this exclusion does not apply to searchlights used as attention attracting devices for commercial or special events).
16. Shopping carts, golf carts, horse drawn carriages, and similar devices (any motorized vehicle which may be legally operated upon a public right-of-way is not within this exclusion).
17. Symbols embedded in architecture – symbols of non-commercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal, by way of example and not limitation, such symbols include stained glass windows on churches, carved or bas relief doors or walls, bells and religious statuary.
18. Vehicle and vessel insignia – on street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel.

19. Vending machines, automated intake devices and product dispensing devices which do not display off-site commercial messages or general advertising messages.
20. Window displays – the display of merchandise in a store window, when such merchandise is immediately available for purchase.

“Sign area” means that portion of a sign which consists of visually communicative copy, including the advertising surface and any framing, trim, or molding but not including the supporting structure, measured one side only (provided that the angle between faces for two-sided signs does not exceed 30 degrees).

“Sign copy” means the visually communicative elements, including but not limited to words, letters, numbers, designs, figures or other symbolic presentation incorporated into a sign with the purpose of attracting attention to the subject matter or message.

“Sign face” means the portion of a sign that is used for displaying sign copy, together with any frame, color, panel, ornamental molding, or condition which forms an integral part of the sign copy and which is used to differentiate such sign copy from any wall or background against which it may be placed. Those portions of the supports, uprights or base of a sign that do not function as a sign shall not be considered as part of a sign face.

“Sign height” means the vertical distance of a sign from the uppermost point used in measuring the sign area to the ground immediately below such point or to the level of the upper surface of the nearest curb of a street or alley (other than a structurally elevated roadway), whichever measurement permits the greater elevation of the sign.

“Temporary message” means a message that pertains exclusively to a special event which occurs on, or ends on, a particular day.

“Temporary sign” means a sign that is constructed of lightweight or flimsy material, and is easily installed and removed using ordinary hand tools. Any sign that qualifies as a “structure” under the Building Code is not within this definition.

“Visibility triangle” means at the intersection of any two or more streets, that area extending horizontally 50 feet from the corner of the intersection and vertically, from a height of three feet to a height of eight feet.

“Wall sign” means a sign that is attached to, erected against or painted on the wall of a building or other vertical structure.

“Warning sign” means a sign that is posted to provide notice of danger, such as “Beware of Dog,” “Railroad Crossing,” or noting the location of underground utilities.

“Window sign” means a permanent sign that is painted or mounted onto a windowpane, or that is hung directly inside a window solely for the purpose or effect of identifying any premises from the sidewalk or street, or a temporary sign that advertises special sales, events, or products. This definition includes any interior sign that is located within five feet of the applicable window.

#### **17.640.005 Signs Allowed Without Sign Permits – Nonresidential Land Uses**

The signs described in this section may be displayed without a sign permit, subject to the rules stated in this section and all other applicable laws, rules and regulations, such as compliance with all safety codes.

- A. Professional name plates not exceeding one square foot in area for each occupant in a building.
- B. Traffic and other municipal signs, legal notices, railroad crossing signs, warning signs and such temporary, emergency or non-advertising signs as may be duly authorized.
- C. On land uses characterized by human assembly and periodically changing programs, signs with a sign area not exceeding 10 square feet per parcel, which advise the public of the offered programs.
- D. Convenience signs and warning signs not exceeding a cumulative sign area of 10 square feet per sign or 50 square feet per parcel; such signs must be affixed flush to the building or window and may not be freestanding.
- E. Non-rotating traditional barber poles not more than six feet in height, and bearing no advertising text.
- F. Directional signs not exceeding four square feet per sign, or 24 square feet cumulative as to all directional signs per parcel.
- G. Government signs displayed by the City or other governmental units in furtherance of their governmental duties, or expressing their own message to the public.
- H. Time and temperature devices not exceeding 10 square feet in area.
- I. On-site directional signs designating special areas or features of a development for safety directional purposes, provided no sign exceeds three square feet in area nor exceeds four feet in height.
- J. Memorial signs or tablets, names of buildings and date of erection when cut into the surface of a building, provided each sign does not exceed three square feet in area.
- K. Real estate signs may be displayed with the property owner's consent, subject to the following restrictions:
  - 1. A maximum area of 32 square feet per parcel or multiple occupancy commercial site.
  - 2. A maximum height of eight feet.
  - 3. Illumination is prohibited.
  - 4. Such signs must be removed not later than 10 days after the advertised transaction has closed.
  - 5. A maximum of two signs per transaction may be displayed off-site, with each sign no greater than 16 square feet.

6. When concerning multiple occupancy commercial sites, only one sign is allowed per frontage.
  7. Notwithstanding the above, when concerning an individual tenant space, only one sign is allowed. The sign shall be placed in a window and shall not exceed eight square feet in copy area.
- L. Construction site signs may be displayed on-site only during the period of actual construction, shall not exceed 24 square feet in sign area, and may not exceed eight feet in height. All such signs must be removed at the completion of the construction project, as measured by final inspection approval and/or grant of an occupancy permit.
- M. In addition to the sign area otherwise allowed and subject to message substitution, temporary signs displaying only protected non-commercial messages may be displayed at all times and on all properties, subject to the property owner's consent and a maximum sign copy area of 16 square feet. During any election period, as defined herein, the maximum sign copy area may be increased to 32 square feet. The signs allowed by this provision may not be illuminated, may not be activated by natural or mechanical wind or air, and may not interfere with the visibility triangle.
- N. Establishments may display portable signs on the same site as the establishment, subject to the following restrictions:
1. Only one such sign is allowed per establishment.
  2. Maximum sign area is 12 square feet.
  3. Maximum sign height is four feet above grade.
  4. Unless otherwise allowed by Chapter 17.645, the sign shall not be mounted on or project into the public right-of-way.
  5. The sign shall not block the view in the visibility triangle, or cause other sight-distance problems.
  6. The sign shall not use lights, flags, balloons, streamers, blinking or reflecting devices, digital display, LCD display, plasma display, day-glow or fluorescent lettering.
  7. The sign shall not interfere with or damage any existing landscaping.
  8. The sign shall be on display only during hours that the establishment is open to the public.
  9. The sign shall not be illuminated.
- O. Flags, not exceeding 24 square feet per legal parcel. Flags may be mounted on doors, walls, windows, fences, or on poles. If a flag is pole mounted, the height of the pole shall not exceed the maximum height limit identified in the applicable zoning district. No commercial message flags are allowed.

- P. Temporary window signs, limited to a cumulative display period of seven days per month, per establishment. Maximum sign copy area shall not exceed more than 25% of the aggregate window area. Signs shall not be allowed within an area located between three feet and five feet above grade.
- Q. Commercial mascots.

#### **17.640.006 Signs Allowed Without Sign Permits – Residential Land Uses**

The signs described in this section may be displayed without a sign permit on legal residential uses, subject to the rules stated in this section and all other applicable laws, rules and regulations, such as compliance with all safety codes. This section does not override rules in private contracts and agreements, such as leases or homeowners association rules.

##### **A. General**

- 1. At all times, individual residential dwelling units may display signs with a cumulative sign area which does not exceed 16 square feet. Name plates, address indicators and flags do not count toward this maximum area limit. This maximum display area may be used for any combination of the following:
  - a. Non-commercial messages.
  - b. Real estate (on-site or off-site) signs.
  - c. Garage sale signs, provided the following:
    - i. Total dimensions including support stake or pole not to exceed three feet in height by three feet in width.
    - ii. For each garage sale type event, no more than one sign may be displayed on-site and no more than four signs may be displayed off-site, in accordance with Chapter 17.645.
    - iii. Signs may be displayed on weekends and legal holidays only and shall be removed at the conclusion of the event.
- 2. Restrictions.
  - a. Residential signs may not be used for general advertising for hire, or commercial messages other than the listed categories.
  - b. Signs may not be illuminated.
  - c. Signs may be mounted on doors, building walls, windows or fences, but may not be mounted on roofs, eaves, soundwalls, trees, bushes, or other vegetation.
  - d. Freestanding signs are allowed provided they do not exceed four feet in height (as measured from grade) and do not block the visibility triangle.

## **B. Flags**

Flags may be displayed in accordance with this section. Total flag area shall not exceed 24 square feet per legal parcel. Flags may be mounted on doors, walls, windows, fences, or on poles. If a flag is pole mounted, the height of the pole shall not exceed the maximum height limit identified in the applicable zoning district. No commercial message flags are allowed.

### **17.640.007 Temporary Signs Requiring a Sign Permit**

The temporary signs described in this section may be mounted or displayed only pursuant to a sign permit approved by the Director or his/her designee in accordance with chapter 17.835 and the criteria and regulations stated in this section.

#### **A. On-Site Housing Project Signs**

When new homes within a housing development are being offered to the public, the developer thereof may display signs as described in this subsection, subject to the following restrictions:

1. The maximum number of signs allowed per project is three.
2. The maximum size for an individual sign is 50 square feet, and the cumulative sign area of all signs shall not exceed 120 square feet. On-site directional signs smaller than 16 square feet are excluded from the above requirements but shall require a sign permit.
3. Signs shall be removed within 30 days of the sale of the last lot or closure of the model home complex, whichever comes first.
4. Signs shall not interfere with the visibility triangle. Streets without curbs shall use the edge of the right-of-way as the sides of the triangle.
5. Signs shall not be located within 100 feet of an existing occupied residence.

#### **B. Banner Signs**

Banner signs may be displayed on-site, subject to the following restrictions:

1. Only one banner sign is allowed at any one time, per establishment.
2. The banner sign shall be on the same site as the sponsoring establishment.
3. Unless allowed by Chapter 17.645, the banner sign shall not be mounted on or project into the public right-of-way.
4. The banner sign shall be displayed for a maximum of four time periods each calendar year; each period may run not more than 30 consecutive days; after each display period, no successive banner sign may be displayed for at least 60 calendar days.
5. The banner sign shall not exceed 50 square feet or 10% of the building face, whichever is greater.

6. The banner sign shall not be illuminated.
7. The banner sign shall be securely fastened on all sides to a permanent on-site structure, such as a building, fence or wall.
8. The banner sign shall be constructed of durable and weatherproof materials, such as vinyl or woven nylon, and shall be continuously maintained in good condition.

#### **17.640.008 Permanent Signs Requiring a Sign Permit**

The permanent signs described in this section may be mounted or displayed only pursuant to a sign permit approved by the Planning Commission or Director, as applicable, in accordance with chapter 17.835 and the criteria and regulations stated in this section.

##### **A. Administrative Approval Permits.**

1. The following signs may be approved by the Director or his/her designee, subject to the criteria set forth in this subsection and review of compatibility of the surrounding area:
  - a. Management offices at attached multi-family residential facilities. In addition to the signs allowed for individual residential dwelling units, the master unit or management office of a facility with four or more attached dwelling units may display one sign, subject to the following criteria and compatibility review.
    - i. The display face shall not exceed six square feet and the height shall not exceed four feet above finished grade.
    - ii. The sign shall be setback at least five feet from the front property line.
    - iii. The sign shall be freestanding or mounted on walls, fences or doors. The sign may not be attached to trees or other vegetation, or mounted on a roof.
    - iv. The sign shall consist of any combination of on-site commercial and/or protected non-commercial speech; general advertising for hire is prohibited.
  - b. Signs in nonresidential zoning districts.
    - i. Signs subject to this section may not display off-site commercial messages or be used as general advertising for hire.
    - ii. Unless otherwise provided, the sign area shall not exceed one square foot of copy for each one foot of lineal public street frontage of the establishment. Where the building site is on a corner lot (but not including alleyways) the allowable sign area is

increased on the basis of one square foot per lineal foot of the shorter lot line plus one-half square foot per lineal foot of the longer lot line.

- c. Vehicle service stations. Establishments selling motor vehicle fuel to the public may display a total sign area of 150 square feet, plus the minimum necessary to comply with the applicable provisions of state law, including Business and Professions Code 13430 *et seq.*, 13440 *et seq.* and 13470 *et seq.*

2. General requirements:

- a. Sign area limits for particular physical types.
  - i. The total allowable sign area of a single freestanding sign shall not exceed 75 square feet.
  - ii. The total allowable sign area of a wall or projecting sign shall not exceed 10% of the face of the building on which it is located.
  - iii. The total allowable sign area of permanent window signs shall not exceed more than 25% of the aggregate window area.
- b. Number of signs. The total number of wall, projecting and freestanding signs is limited to three for each establishment. A maximum of one freestanding sign per parcel shall be allowed.
- c. Maximum height. Freestanding signs shall not exceed eight feet in height.
- d. Sign location.
  - i. Signs may not project above any roof line or parapet.
  - ii. Signs may be located on or suspended from marquees and awnings.
  - iii. Projecting signs may be located so as to project horizontally up to three feet, except that they shall not project more than one foot into a public right-of-way, and then only as allowed by Chapter 17.645 and subject to an encroachment permit.
  - iv. Permanent window signs shall not be located within an area between three feet and five feet above grade.
- e. Lighting.
  - i. Building-mounted signs may be non-illuminated or incorporate any of the following methods of illumination:

- a. Internally-illuminated pan channel letters with translucent faces using neon or LED illumination sources.
  - b. Halo illuminated reverse pan channel letters using neon or LED illumination sources.
  - c. Exposed neon.
  - d. External illumination using building-mounted lighting.
  - e. Cabinet signs incorporating opaque metal faces and push-thru or cut-out translucent lettering.
- ii. Monument and other freestanding signs may be non-illuminated or incorporate any of the following methods of illumination:
    - a. Halo illuminated reverse pan channel letters using neon or LED illumination sources.
    - b. External illumination using sign structure-mounted lighting or ground-based lighting.
    - c. Sign cabinets incorporating opaque metal faces and push-thru or cut-out translucent lettering.
  - iii. Directional signage and other incidental signs may be non-illuminated or incorporate any of the following methods of illumination:
    - a. External illumination using ground-based lighting.
    - b. Sign cabinets incorporating opaque faces and push-thru or cut-out translucent lettering.

## **B. Planning Commission Approval Permits**

The following signs are subject to review and approval by the Planning Commission, subject to the criteria set forth in this subsection and review of compatibility of the surrounding area:

1. Off-site directional signs on private property to identify places of worship or public assembly, hospitals, schools, public and quasi-public institutions and similar uses located in the city. No more than two signs, not exceeding three square feet each, shall be permitted per use or establishment.
2. A master sign program for any multiple occupancy commercial site or separately identifiable commercial building group (such as a neighborhood or community shopping center, or for any other contiguous sites), or for any single occupancy retail site that is located on a parcel at least two acres in size. Such a program may deviate from the provisions of this section when the following findings can be made:

- a. The program is of integrated and harmonious design and designed to be a part of or blend with the buildings proposed.
  - b. The program has been prepared and endorsed by a licensed architect or building designer.
  - c. The signs within the program are compatible with the surrounding area.
  - d. The program is consistent with the City's Commercial and Industrial Design Guidelines, adopted by the City Council, and as they may be amended over time.
3. Neighborhood identification signs may be installed at the entrance to neighborhoods or districts, subject to the following restrictions:
- a. The maximum number of signs is two.
  - b. Signs shall be located at the corners of streets entering the area.
  - c. Signs shall be mounted on a legal fence, wall or similar structure (freestanding signs are not allowed).
  - d. The maximum copy area shall be 15 square feet.
  - e. Where dedication of the sign is proposed, and subject to acceptance, the dedication shall include the structure on which the sign is located, and the land on which the structure is located, together with access to the nearest public right-of-way.
  - f. Illumination of signs shall be external and ground-mounted only.

**17.640.009 Prohibited Signs**

The signs described in this section are prohibited unless explicitly allowed by another provision of this chapter. No exceptions to any of these signs may be made by the City.

- A. Roof signs.
- B. Any signs projecting above any portion of a roof or parapet wall or above the sloping roofline of the gable end of a structure.
- C. Except as otherwise permitted by this chapter, flags, pennants and similar objects designed to rotate or move with natural or mechanical wind or air.
- D. Banners, except as otherwise permitted by this chapter.
- E. Signs, whether by design or lighting, that may be mistaken for traffic lights or signals.
- F. Signs mounted in such a manner as to prevent free ingress to or egress from any door, window or fire escape, or obstruct an outward view from any living area.
- G. Signs attached to a standpipe or fire escape.

- H. Signs located in such a manner as to obstruct free and clear vision, or the view of any authorized traffic sign, signal or device.
- I. Signs projecting into the right-of-way of a public street or alley, except as specifically permitted elsewhere in this chapter or in Chapter 17.645.
- J. Signs having less than eight feet clearance between the lowest edge of a sign projecting into a public right-of-way, any sidewalk or an area where pedestrians may walk.
- K. Signs having less than 17-feet clearance between the lowest edge of that portion of the sign projecting into that part of a public street or alley area used by vehicular traffic and the street grade.
- L. Placards, posters, announcements and similar signs posted or attached to any fence, pole, tree, vehicle or any other object in a public right-of-way, except as specifically permitted by Chapter 17.645, or legal notices required by law or a valid court order issued by a court of competent jurisdiction.
- M. Signs on any portion of a street, sidewalk or other public right-of-way, except as specifically permitted by Chapter 17.645.
- N. Signs that cause excessive glare on surrounding properties or conflict with the traffic regulations or traffic safety.
- O. Signs producing noise, odor or fumes or smoke-making devices.
- P. Billboards, as defined herein.
- Q. Animated signs, as defined herein.
- R. Changeable copy signs, streamers, propellers, discs, and searchlights, except as otherwise permitted by this chapter.
- S. Signs that use lights which flash, blink, or turn on and off intermittently, unless located at the site of athletic events.
- T. Mobile billboards, including motorized vehicles which are used for the purpose of general advertising or advertising for hire, when parked on City-owned streets or the public right-of-way, or when traversing upon public streets over which the City has the legal right to control vehicle access.
- U. Private party signs posted on City-owned property or the public right-of-way, except as specifically permitted by Chapter 17.645.
- V. Any kind of inflatable object, including balloons, used as advertising or attention-getting devices, except as otherwise permitted in this chapter.
- W. Flex wing signs.

- X. Building-mounted cabinet signs with translucent faces, unless they must be allowed pursuant to federal or state law.
- Y. Any sign which is in conflict with the specific standards set forth in this chapter.

**17.640.010 Nuisance; Enforcement**

Each violation of any provision of this chapter is declared to be a nuisance per se, each day a separate offense, and subject to abatement by any means available at law.

**17.640.011 Severability**

If any section, subsection, clause, phrase or portion of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

## Chapter 17.645

### SIGNS ON PUBLIC PROPERTY

- 17.645.001 Capacity
- 17.645.002 Public Forum Designation
- 17.645.003 Definitions
- 17.645.004 General Regulations
- 17.645.005 Permit for Sign on Public Property
- 17.645.006 Exemptions
- 17.645.007 Banners on City-Owned Light Standards
- 17.645.008 Temporary Banners for Community Events
- 17.645.009 State Route 4 Bypass Sign
- 17.645.010 Cluster Signs
- 17.645.011 Neighborhood Identification Signs
- 17.645.012 Severability

#### 17.645.001 Capacity

In adopting this chapter, the City Council acts in its proprietary capacity as to public property within the city. Private parties may post signs on public property only in accordance with this chapter or some other authorization duly adopted by the City Council.

#### 17.645.002 Public Forum Designation

The City declares its intent that all public property in the city shall not function as a designated public forum for sign display, unless some specific portion of public property is designated herein as a public forum of one particular type; in such case, the declaration as to public forum type shall apply strictly and only to the specified area and the specified time period.

#### 17.645.003 Definitions

For purposes of interpreting and enforcing this chapter, the following words have the special definitions given. For words not defined in this chapter, definitions from Chapter 17.640 may be used as interpretive aids. In consultation with the City Attorney, the Administrator is authorized and directed to interpret these definitions in light of relevant court decisions.

“Administrator” means the person authorized by the City Council to enforce and interpret this chapter; in the absence of a contrary authorization by the City Council, the Administrator shall be the City Manager or his/her designee.

“City” means for purposes of this chapter, the City of Brentwood and any of its related entities including, but not limited to, the Brentwood Redevelopment Agency.

“Cluster sign structure” means a permanent sign structure in a fixed location designed to advertise and give direction to a maximum of eight housing subdivisions, with four panels on each side, under development or construction in the city.

“Neighborhood identification sign” means a sign that identifies a neighborhood that is officially designated by the City.

“Non-commercial message” means a constitutionally protected message that is not commercial in nature. Non-commercial messages on signs typically address topics of public concern or controversy such as, by way of example and not limitation, politics, religion, philosophy, science, art or social commentary. The on-site/off-site distinction does not apply to non-commercial messages or signs displaying them.

“Permit” means a written authorization from the City for third party display of a sign on public property.

“Personally attended” means that a person is physically present within five feet of the sign at all times.

“Public property” means land or other property in which the City is the owner or has the present right of possession and control, as well as areas which are either designated as public rights-of-way or which have long been used as such.

“Sign” means the same as the definition of the word “sign” in Chapter 17.640.

“Sign ordinance” means Chapter 17.640, as that chapter may be amended from time to time.

“Special public events” means events such as public street closures, parades and demonstrations.

“Traditional public forum” means the surfaces of City-owned streets, surfaces of City-owned parks, surfaces of City-owned plazas, surfaces of sidewalks which are connected to the City’s main pedestrian circulation system and the exterior surfaces of pedestrian areas immediately surrounding City Hall.

#### **17.645.004 General Regulations**

##### **A. General Prohibition**

No sign may be displayed on public property unless a permit therefore has first been issued or the subject sign is expressly exempt from the permit requirement by this or another applicable policy statement or other authorization approved by the City Council.

##### **B. Abatement**

All permits must be consistent with this chapter. Any sign posted on public property within the city, contrary to the sections stated herein, may be summarily removed as a trespass and a nuisance by the City pursuant to this chapter. Sign owners who have signs removed by the City may be charged for all costs associated with the removal. Removed signs will be held by the City for a period of 30 days and the property/sign owner notified of same. Failure to respond to the notification may result in the sign(s) destruction or disposal by the City.

#### **17.645.005 Permit for Sign on Public Property**

##### **A. Permit Application**

The Administrator shall prepare and make available to members of the public an application for a permit, which shall, when fully approved, constitute a permit and indicate the City’s consent, in

its proprietary capacity, for placement of a sign on public property. The applicant for the permit must be the same person or entity who is to be the owner of the sign and who shall be responsible for its removal when required. The processing fee for each application, which shall not be refundable even if the application is denied, shall be the same as the fee for a sign permit under the sign ordinance, as that fee currently exists or may be amended from time to time, or such other fee as may be set by the City Council. The application form shall require the applicant to state that he or she shall abide by the City's policies, as well as any special terms or conditions which may be stated on the permit, and to abide by any new or different conditions which may be imposed on all permittees who are similarly situated.

#### **B. Permits Issued in Error**

Any permit issued in error may be summarily revoked by the Administrator by informing, in writing, the applicant of the nature of the error in issuance. Any applicant whose permit is revoked as issued in error may, at any time thereafter, submit a new permit application which cures any deficiencies in the original application. The application fee shall apply separately to each new application, but shall be waived when the original issuing error was caused by the City. When a permit is revoked, the permittee must remove the sign within seven calendar days of the revocation. If the permittee does not do so, then the City may remove the sign and recover from the permittee the reasonable cost of removal, as may be set by resolution of the City Council. Such cost recovery may be a condition to any future or additional permits.

#### **C. Right to Permit; Appeal**

An applicant whose application fully complies with the terms and conditions of this chapter shall be duly issued a permit. Applications which are denied or permits which are revoked or suspended may be appealed in the same manner as any sign-related decision under chapter 17.835.

### **17.645.006 Exemptions**

The following signs are exempt from the permit requirement:

#### **A. Exempt Signs - General**

1. Government signs. Traffic control and traffic directional signs erected by the City or another governmental entity; official notices required or authorized by law; signs placed in furtherance of its governmental functions; and signs allowable under Chapter 17.640.
2. Legal nonconforming signs. Permanent signs which were erected in the past on public property in conformance with all applicable laws, rules and regulations then in effect may remain in that same location so long as they have not been and are not expanded or moved, and are properly repaired and maintained.
3. Commercial mascots. Commercial mascots on the public sidewalk from sunrise to sunset, subject to a maximum sign area displayed of 12 square feet per person, with no special illumination and no inflatable objects.

#### **B. Traditional Public Forum Areas**

1. This section applies only when City regulations concerning special public events, parades and demonstrations do not.
2. In areas qualifying as traditional public forums, private persons may display non-commercial message signs thereon without first obtaining a permit, provided that the signs conform to all of the following:
  - a. The signs must be personally held by a person or personally attended by one or more persons.
  - b. The signs may be displayed only during the time period of sunrise to 10:00 pm.
  - c. The maximum aggregate size of all signs held by a single person is 12 square feet.
  - d. The maximum size of any one sign which is personally attended by two or more persons acting in concert is 32 square feet.
  - e. The sign(s) shall have no more than two display faces and may not be inflatable or air-activated or produce noise, smoke or fumes.
  - f. In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give at least five feet width clearance for pedestrians to pass by. Persons holding signs may not block the view within the visibility triangle.

### **C. Real Estate Signs; Garage Sale Signs**

Signs displaying information about real estate open house events, garage sale events, or any non-commercial messages may be displayed without a permit, subject to the following:

1. Signs may be displayed on weekends, legal holidays and broker tour days only and shall be removed at the conclusion of the event, and in the case of real estate open house signs and non-commercial messages, at the end of the weekend, holiday or broker tour day.
2. The total dimensions including support stake or pole shall not exceed three feet in height by three feet in width.
3. Signs may be mounted in the public right-of-way in locations where they will not interfere with normal pedestrian or vehicle traffic, and must not block the visibility triangle. Signs may not be placed in the street median (middle of the street) or on any light standard or pole, and cannot block the view of other signs.
4. A maximum of four signs shall be allowed for each event or message. Personal attendance is not required, and illumination is not allowed.
5. Signs shall be temporary in physical structure and mounting method.

6. Signs described in this subsection which are displayed in times other than the allowable hours may be summarily removed by the City.

## **17.645.007 Banners on City-Owned Light Standards**

### **A. General**

Subject to the conditions stated in this chapter, banners may be displayed on City-owned light standards on in the Downtown and on major and minor arterials as described in the General Plan, for the purpose of identifying and promoting area themes or identities, or announcing or promoting special events which are open to the public and are sponsored or co-sponsored by the City.

### **B. Eligibility**

Participation in this light standard banner program is open only to programs sponsored or co-sponsored by the City and commercial establishments with Brentwood locations which are open to the public, and educational institutions which are properly authorized, licensed and accredited with the California Department of Education, which comply with the mandatory public education requirements of state law. No more than 20% of the display area on each side of a banner promoting a special event or area theme may be devoted to commercial sponsorship identification.

### **C. Display Time**

Eligible parties may display street banners only for a maximum of six months per year. Extensions may be granted by the Administrator if the sponsor wishes to retain the banners, the banners remain current and no other eligible party has applied for that location. Requests to display banners in accordance with this chapter shall be prioritized in the order received. City sponsored banners have priority over all eligible applicants seeking to participate in the street banner program.

### **D. Technical Standards**

The technical standards for such banners shall be developed by the Administrator or his/her designee, who is also authorized to establish and enforce policy regarding the physical installation and removal of banners.

### **E. Insurance and Indemnification**

As a condition of approval, parties participating in the City's light standard banner program must provide proof of insurance, in a form satisfactory to the Administrator, that the participant carries insurance covering comprehensive general liability (including risks of personal injury including death and property damage, as well as advertising injury), with a coverage limit of at least \$1,000,000. Such insurance shall name Brentwood, including its City Council, individual City Council members, boards and commissions and their individual members, officers and employees as additional insureds, or name them as certificate holders. The participant shall also indemnify, hold harmless and defend Brentwood, its City Council, individual City Council members, boards and commissions and their individual members, officers and employees

(including reasonable attorney's fees) in the event of a challenge to the banner program, as well as against all claims of liability.

#### **17.645.008 Temporary Banners for Community Events**

- A. When the City sponsors or co-sponsors a program for a special public event, with or without co-sponsors, public property may be used to promote and identify the special event.
- B. Off-site signs used to advertise parades, festivals, charitable or educational fundraisers, sports league sign-ups, holiday home tours and similar events, provided that the following standards are adhered to:
  - 1. Signs on public property shall be limited to the northwest and southeast corners of the Sand Creek Road and Fairview Avenue intersection, and the southwest and southeast corners of the Sand Creek Road and O'Hara Avenue intersection.
  - 2. No more than two signs per event shall be allowed.
  - 3. Signs shall not be placed more than 30 days in advance of the event and shall be removed no later than five days after the conclusion of the event.
  - 4. Signs shall not exceed an area of 32 square feet.
  - 5. Signs shall be non-illuminated.
  - 6. Signs shall be securely fastened on all sides to an on-site structure such as a building, fence or wall.
  - 7. Signs shall be constructed of durable and weatherproof materials, including but not limited to vinyl and woven nylon, and shall be continuously maintained in good condition.
  - 8. Signs shall only advertise events that are to take place within the Brentwood city limits, or that are sponsored by organizations located within the Brentwood city limits.

#### **17.645.009 State Route 4 Bypass Sign**

##### **A. Location**

One sign may be installed on that City-owned property identified by the Contra Costa County Assessor as Assessor's Parcel Number 019-082-006. The sign must comply in all ways with any applicable regulations imposed by State and Federal law.

##### **B. Intent as to Public Forum; Strictly Limited Access**

The single sign allowed under this section is intended to be a non-public forum limited to messages for the establishments located within the nearby regional commercial retail establishment.

### **17.645.010 Cluster Signs**

Off-site cluster sign structures designed to advertise and give direction to a maximum of eight subdivisions (four sign panels on each side) under development within the city may be allowed on public property subject to the provisions of this section.

- A. These signs shall be located at the intersection of two thoroughfares. The exact locations shall be considered on a case-by-case basis by the City.
- B. No two cluster sign structures shall be located within 1,000 feet of any other cluster sign structure with the exception that two cluster signs may be allowed at one intersection, provided that they are not on the same corner.
- C. The maximum height of these signs shall be 11 feet and the maximum area shall be 40 square feet (excluding base).
- D. A refundable cash bond in an amount set by resolution of the City Council shall be posted with the City prior to the issuance of building permits, as a guarantee for the removal of each sign structure.
- E. If any sign falls into disrepair or is modified in any way that is not in compliance with this section, the City shall have the right to remove the sign and any deposits posted will be forfeited.
- F. The signs authorized by this section may be used only for commercial messages related to development of tract housing projects.

### **17.645.011 Neighborhood Identification Signs**

Neighborhood identification signs may be installed at the entrance to neighborhoods or districts, subject to the following restrictions:

- A. The maximum number of signs is two per neighborhood or district.
- B. Signs shall be located at the corners of streets entering the area.
- C. Signs shall be mounted on a legal fence, wall or similar structure.
- D. The maximum copy area shall be 15 square feet.
- E. Where dedication of the sign is proposed, and subject to acceptance, the dedication shall include the structure on which the sign is located, and the land on which the structure is located, together with access to the nearest public right-of-way.
- F. Illumination of signs shall be external and ground-mounted only.

### **17.645.012 Severability**

If any section, subsection, clause, phrase or portion of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a

separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

## Chapter 17.835

### SIGN PERMIT

17.835.001	Title and Purpose of Provisions
17.835.002	Applicability of Provisions
17.835.003	Application
17.835.004	Procedure
17.835.005	Sign Permit Criteria
17.835.006	Termination of Permit
17.835.007	Appeal

#### 17.835.001 Title and Purpose of Provisions

##### A. Title

The provisions of this chapter shall be known as the “sign permit procedure” of this title.

##### B. Purpose

The purpose of these provisions is to prescribe the procedure for the approval of signs, by means of review and, where necessary, the imposition of special conditions of approval.

#### 17.835.002 Applicability of Provisions

The sign permit procedure shall apply to all proposed projects for which a sign permit is required by the zoning and sign regulations.

#### 17.835.003 Application

A sign permit application shall be prepared and submitted pursuant to Chapter 17.800.

#### 17.835.004 Procedure

- A. A sign permit application shall be processed pursuant to Section 17.800.010.
- B. Following a determination that an application is complete and environmental review has been conducted, the application shall be reviewed by the Director, or if the application is subject to Planning Commission review, at a duly noticed public hearing of the Commission.
- C. In considering a sign permit application the Director or Planning Commission shall determine whether the proposed use conforms to the general criteria for sign permits set forth in this chapter and to any applicable specific criteria set forth in any provision elsewhere in this title that requires a sign permit and to any applicable regulations of the zoning ordinance.
- D. Following consideration, the Director or Planning Commission shall deny or approve or conditionally approve an application requiring such changes or imposing such

reasonable conditions of approval as are in its judgment necessary to carry out the general purposes of the zoning regulations.

**17.835.005 Sign Permit Criteria**

A sign permit may be granted only if the proposal conforms to the criteria set forth in the applicable section.

**17.835.006 Termination of Permit**

Unless a different termination date is prescribed, all sign permits shall terminate one year from the effective date of their granting, unless actual construction or alteration under valid permits, or actual commencement of the authorized activities, in cases where a permit is not required, has begun within such period. However, such period of time may be extended by the Planning Commission upon application filed at any time before such period has expired.

**17.835.007 Appeal**

Action of the Director or Planning Commission may be appealed pursuant to Chapter 17.880.