SECTION 20.32  SIGNS

20.32.010  Purpose.

These regulations are intended to set standards which will permit a reasonable use of signs which give information and directions and which identify goods and services without detracting from the aesthetics of the urban environment.  (Ord. No. 78-07, §501; Ord. No. 04-09)

20.32.020  Criteria for Review.

When considering a sign permit application, the Commission or staff will be concerned for the minimum practical sign area consistent with the location and purposes of the signs.  The primary purpose of all permanent signs is identification as opposed to product advertising.  Further concerns are: to eliminate the clutter of too many signs; assure legibility; and avoid detriment to health, safety, morals, comfort and the general welfare of the City.

All permanent signs requiring a sign permit must reflect the intent of the design review standards of subsection 20.100.050D of this Chapter.  (Ord. #78-07, §501.1; Ord. No. 04-09)

20.32.030  Definitions (A-Z).

As used in this section:

Awning means a temporary shelter, usually constructed of canvas, which is supported entirely from the exterior wall of a building.

Banner means a sign made of flexible materials, suspended from one (1) or two (2) corners, including a design or logo.

Fascia Sign means a sign painted on or affixed to a building face, parallel to and not extending more than twelve (12) inches from the surface.

Freestanding Sign means a permanently fixed, separate and detached sign or advertising structure, supported from one (1) or more poles, columns, braces or similar devices.

Fully Animated Signs means an on-premises identification sign with flashing, blinking, animated, rotating signs, or signs whose illumination or surface changes with time; this shall not include barber poles, reader boards or public service messages such as time and temperature. (Ord. No. 2014-03 § 1; Ord. No. 2014-06 § 1)

Hold Harmless means an agreement between the property owner and the City which indemnifies and relieves the City of all financial responsibility, liability and other costs including attorney's fees, for any injury or damages that result by virtue of a claim against the City by a third party.
In-window Permanent Sign means any sign placed in or painted on a window for more than forty-five (45) days.

In-window Temporary Sign means any sign or combination of signs used for identification placed or painted on a window for not more than forty-five (45) days.

Marquee Sign means a sign attached to, painted on, or suspended from a marquee, roof overhang or awning.

Monument Sign means a low profile freestanding sign supported on a solid foundation.

Occupant means each business establishment having its own outside entrance. "Occupant" does not refer to individual tenants who may share the space within the establishment.

Off-premises Sign means one that, at any time, carries any advertisement identification, or directions not strictly incidental to the lawful use of the premises upon which it is located.

Partially Animated Signs means flashing, blinking, animated, rotating signs or signs whose illumination or surface changes with time, on a very limited basis. This shall not include barber poles, reader boards or public service messages such as time and temperature.

Pennant or Streamer means a sign made of flexible materials suspended from one (1) or two (2) corners, used in combination with other pennants and streamers to create the impression of a line.

Permanent Sign means one for which a sign permit is approved and issued with no time restriction.

Portable Sign means "A" frame, merchandise display or other advertising materials which can be readily moved. A vehicle carrying advertising, parked at a curb for other than normal transportation purposes, will be considered a portable sign.

Projecting Sign means a sign affixed to the face of a building and projecting more than twelve (12) inches either perpendicularly or at an angle from the surface.

Reader Board means a sign or portion of a sign designed for use with interchangeable letters.

Roof Sign means a sign which extends or is erected above the roof line or parapet wall.

Sign means all letters, figures, symbols or objects designed or used to attract or direct attention for identification, directional or advertising purposes. "Signs" include all banners, placards, posters, car pictures, strings of lights, outdoor displays and similar items used to attract attention.
**Sign Area** means the area within the smallest perimeter that will enclose all of the letters, figures or symbols which comprise the sign, but excluding essential supports. Supports will be subject to design approval and engineering approval. For multi-faced signs, area will be the total of all faces.

**Sign Permit** means the granting of design approval for a specific sign by the Planning Commission or City staff in conformance with the requirements of this section. An additional building permit from the Building Department is necessary to erect any sign.

**Temporary Sign** means one approved with a specific time limitation. Area of temporary signs shall not be included in computation of allowable area for permanent signing.

(Ord. #78-07, §501.2; Ord. #03-01, §1; Ord. No. 04-09; Ord. No. 2014-03 § 1; Ord. No. 2014-06 § 1)

### 20.32.040 Prohibited Signs.

The following signs are not allowed:

A. Fully animated signs;

B. Dilapidated or abandoned signs;

C. Off-premises signs;

D. Portable signs in the public right-of-way, except real estate "open house" and "garage sale" signs;

E. Pennants or streamers.

All other types of signs are allowable either with or without a permit as provided in this section.

(Ord. #78-07, §501.3; Ord. #03-01, §1; Ord. No. 04-09; Ord. No. 2014-03 § 2; Ord. No. 2014-06 § 2)

### 20.32.050 Signs Allowed Without a Permit.

The following signs are allowed without a sign permit. Only signs under paragraphs F, G, H and K may be installed in the public right-of-way, and only after obtaining an encroachment permit.

A. Flags of the U.S. or official flags of the State, City of Albany or United Nations.

B. Professional or identifying nameplates not to exceed one (1) square foot in area.
C. One (1) real estate sign advertising "For Sale", "For Lease" or "For Rent", not over six (6) square feet in area, placed by an owner or his agent on his own property in any residential zone.

D. One (1) real estate sign not exceeding twelve (12) square feet in area, not located closer than three (3) feet to the property line, and pertaining only to the prospective sale or lease of the premises upon which the sign is to be displayed shall be permitted in all nonresidential zones, but shall contain only the name of the property owner or broker representing the property and the necessary address or phone number to which prospective purchasers shall be directed.

E. Memorial signs or tablets, names of buildings and dates of erection, when cut into masonry surface or constructed of bronze or other incombustible materials.

F. Traffic or other municipal signs, railroad crossing signs, danger, and such temporary emergency signs as may be approved by the City Engineer.

G. Signs of a directional nature for a civic event to be permitted for not more than thirty (30) days prior to the event nor more than a forty-eight (48) hour period after the event.

H. Signs serving as directional signs to resorts or to institutions of an educational, religious, charitable or civic nature not to exceed three (3) square feet in area per face.

I. Directional signs located within parking lots identifying the entrance and exit and other directional information, except in residential districts. Not more than four (4) directional signs shall be posted in one (1) parking lot without the approval of the Planning Commission. Directional instructions painted on the pavement of the lot shall not be included in the measurement of permitted sign area. Such signs in total shall not exceed twenty (20) square feet in area.

J. Signs showing the location of public telephones, restrooms and underground utility facilities.

K. One (1) nonilluminated construction site identification sign not to exceed forty (40) square feet in area may be erected and maintained during construction on the site of a construction project. The construction sign may contain the name of the general contractor and others, such as the architect, engineer, other subcontractors or suppliers assigned to the project.

L. In-window temporary signs as defined in this section.

M. Political Signs.

1. Definition. A political sign shall mean any sign which is designed to influence the action of the voters either for the passage or defeat of a measure appearing on the ballot or any National, State or local election, or which is designed to influence the action of the voters either for the election or defeat of a candidate for nomination or
election to any office, whether public or private, partisan or non-partisan, at any National, State or local election.

2. **Location Permitted.**

   a. Political signs shall be located on private property only and with permission of the owner or occupant and shall not be attached to any utility pole, tree or other vegetation.

   b. Political signs shall not be erected in such a manner or at such a location that they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.

3. **Placement and Removal and Rules on Size and Number.**

   a. No political sign shall be posted sooner than the first filing of the Campaign Disclosure Statement or forty (40) days prior to the election, the lesser of the two (2) time periods.

   b. Political signs shall be removed within fifteen (15) working days after the election to which they relate. Signs placed on behalf of a political candidate successful in primary elections may be permitted to remain for general election purposes.

   c. No political sign shall exceed sixteen (16) square feet in area. The aggregate area of all political signs placed or maintained on any parcel or real property in one ownership shall not exceed eighty (80) square feet. Both faces of a double-faced sign shall be calculated in figuring the total signage.

   d. The number of political signs posted is not limited except by total maximum area.

   e. No City approval need be obtained for posting of any political signs four (4) square feet or less in area. Any person intending to post single political signs over four (4) square feet in area (or any person on whose behalf such signs are to be installed) shall, prior to the installation, file a declaration of such intent with the enforcing officer of the City. Such declaration shall contain an agreement to remove such signs within the applicable time period described above.

   f. Any political sign not posted in conformance with the provisions of this Chapter shall be deemed a public nuisance and shall be subject to removal by the candidate, the property owner or, when a proposition is involved, the person advocating the vote described on the sign, and upon their failure to do so, by the enforcing officer. Any costs incurred by the City in the enforcement shall be assessed to the person who signed the declaration of intent.


**20.32.060 Signs Allowed With a Permit.**

A. The following are allowable with a sign permit issued by the Planning and Zoning Commission, subject to the limitation on size and location:

1. Banners;
2. Fascia signs;
3. Freestanding signs;
4. In-window permanent signs;
5. Marquee signs;
6. Monument signs;
7. Projecting signs;
8. Roof signs.

B. The following signs are allowable with a use permit issued by the Planning and Zoning Commission:

1. Partially animated signs, subject to the following criteria:
   
   a. The Planning and Zoning Commission shall determine the frequency of the use of color and the changing of messages, type of animation, number and types of messages allowed to be displayed, hours of operation, intensity of illumination, compatibility of the height of the sign with the surrounding area, and such other aspects which affect visual presentation of the proposed sign or its functions;
   
   b. They can only be located on parcels more than twenty-five (25) acres in size;
   
   c. No more than one (1) partially animated sign may be placed on property;
   
   d. Proposed animated sign displays shall be submitted to the Community Development and Environmental Resources Director for administrative approval. The Community Development and Environmental Resources Director will accept or reject the proposed display within seven (7) days of the submission.
2. Reserved. (Ord. No. 2014-03 § 3; Ord. No. 2014-06 § 3)

C. The following signs may be approved administratively by the Community Development Director:

1. Signs which entail only a change in the existing message if the area and type of sign remains unchanged.

(Ord. #78-07, §501.5; Ord. #82-03; Ord. #99-06, §1; Ord. #03-01 §1; Ord. No. 04-09; Ord. No. 2014-03 § 3; Ord. No. 2014-06 § 3)

20.32.070 Application for Sign Permit.

Application for sign permits as required herein shall be submitted to the Community Development Director on a designated form. It shall contain dimensions and other necessary information regarding the site and buildings thereon, existing signs, proposed signs and signs to be removed.

For sign applications which are reviewed by the Community Development Director, review shall occur as part of a building permit or business license application process. The action taken on the sign application shall be reported to the Planning and Zoning Commission, based on a schedule to be determined by the Commission.

If in the opinion of the Community Development Director that an application may involve a significant policy or design issue, or that there is significant public controversy, the application shall be referred to the Planning Commission for hearing and action. (Ord. #03-01, §1; Ord. No. 04-09)

20.32.080 General Regulations.

A. Each permit will be for a specific sign of a specific occupant and will not be transferable.

B. There shall be no more than four (4) separate permanent signs for any one (1) building occupant, as defined herein.

C. In-window temporary signs for ground floor occupant shall not exceed fifty (50%) percent of the total window area. Any window area permanently painted over so as to be no longer transparent, or which contains permanent signing, is excluded from measurement of window area.

D. In-window permanent signs for upper floor occupants shall be limited to ten (10%) percent of the window area or a maximum of four (4) square feet per window, whichever is less. Those which are for identification only shall have no time limit.

E. No additional signing is permitted on the basis of frontage for multistoried buildings. A building with exceptional upstairs occupancy may have additional signing with the
approval of the Planning Commission or City. Exception: A directory, not to exceed eight (8) square feet in area, may be erected for identification of upper floor tenants.

F. Shopping Centers:

1. Master Sign Program. A master sign program shall be required for all shopping centers and shall be reviewed by the Planning and Zoning Commission. The master sign program shall include the total aggregate square footage of sign area allowed for the center, the location, dimension, and design of the individual signs for each tenant of the center, and the design, size and location of a freestanding identification sign.

2. Freestanding Identification Sign. A shopping center, in addition to the basic identification sign area permitted each occupant, may have a freestanding identification sign on the basis of one (1) square foot for each four (4) ground floor frontage feet of building face, but not to exceed a maximum of one hundred fifty (150) square feet. The "Center" identification may be a name, a permanent roster of tenants, or a combination thereof.

G. Illuminated tubing and strings of lights outlining portions of a building or open space shall be deemed "signs" under this Chapter and require specific approval of the Planning Commission. Each line of such illumination shall be deemed to have a minimum width of three (3) inches for purposes of area calculation.

H. Any awning or awning sign shall require a sign permit.

I. All property owners who wish to install any signs which project onto the City's public right-of-way shall be required to sign a hold harmless agreement protecting the City, and if necessary, the State of California (as defined in subsection 20.20.040) with the City prior to installing the signs.

(Ord. No. 78-07, §501.6; Ord. No. 03-01, §1; Ord. No. 04-09)

20.32.090 Dimensional Requirements.

A. Residential Districts. Signs in residential districts for nonresidential uses shall not exceed eight (8) square feet in area. Such signs shall not be illuminated nor permitted in any required yard.

B. Nonresidential Zones.

<table>
<thead>
<tr>
<th>SC ZONE</th>
<th>SPC ZONE</th>
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<tr>
<td>2 sq. ft. per lineal front ft. of building face.</td>
<td>3 sq. ft. per lineal front ft. of building face.</td>
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<tr>
<td>Max. aggregate - 200 sq. ft.</td>
<td>Max. aggregate - 300 sq. ft.</td>
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Projecting

Max. projection 6 ft. over public right-of-way.

Min. clearance 8 ft.

Roof

Not allowed.

Freestanding

Max. height 20 ft.

Max. height 12 ft. above roof line or parapet wall.

Max. height 5 ft.

Max. height 5 ft.

Min. clearance 8 ft.

Min. clearance 10 ft.

CMX ZONE

Architectural approval required. Planning Commission shall prescribe on a case-by-case basis.

SC ZONE

Monument

Max. height 5 ft.

Marquee

Min. clearance 10 ft.

WF ZONE

Architectural and Design Control will govern, consistent with the Waterfront Plan.

NOTE: The "lineal front foot" used to determine allowable sign area applies to the building face abutting the primary commercial street adjacent to the site. If the use is conducted primarily in the open, or is a service station, one-half (1/2) of the primary street frontage may be substituted for the "building face".

C. Shopping Centers. For a shopping center, the applicant may choose to calculate the total allowable sign area for the center on the basis of individual tenant "store frontage" rather than total "building face". The total sign area for each tenant may be computed as two (2) square feet of sign area for each front foot on the building elevation providing primary access to the use, provided that:

1. All signs in the shopping center shall meet the specifications of a Master Sign Program approved by the Commission for that center;
2. The sign area allowed for any tenant may not exceed two hundred (200) square feet;

3. A minimum of twenty (20) square feet of sign must be made available for the building elevation providing primary access to the use and leased by the tenant.

In cases where a use has more than one (1) primary access, the Planning and Zoning Commission may allow an additional one-half (1/2) square foot of sign area for each front foot of "secondary" primary access. This additional sign area must be placed on the building face from which it was calculated.

D. Awning Requirements.

1. The minimum clearance for awnings from the street shall be eight (8) feet, and the maximum projection from the building shall be six (6) feet. In no case shall an awning obstruct traffic or on-street parking spaces.

2. If more than one (1) tenant is in a building where an awning is installed, and if more than one (1) tenant desires an identification sign on the awning, a master sign program for the awning shall be required.

3. The design and location of the awning shall be consistent with the character and scale of the building. The awning shall not in any way block or obstruct an existing sign on any immediately adjacent building.

4. A hold harmless agreement and an encroachment permit shall be obtained prior to the installation of the awning.

5. Awnings are subject to design review approval as listed in subsection 20-10.2c. (Ord. No. 7807, §501.7; Ord. No. 86-05; Ord. No. 89-09, §II; Ord. No. 03-01, §1; Ord. No. 04-09)

20.32.100 Nonconforming and Illegal Signs.

A. Removal of Nonconforming Signs.

1. Removal in Ten (10) Years. All signs, except off-premises signs, constructed of permanent materials such as wood or steel, which were lawful on January 3, 1977, but are prohibited herein, may be maintained by the occupant of record on that date for a period of ten (10) years from that date, at which time all signs shall be made to conform to the regulations of this Chapter, or shall be removed entirely within the time period.

2. Removal in One (1) Year. Off-premises signs, animated signs and flashing or other nonconforming lights installed prior to January 3, 1977,
shall be removed, disconnected or modified to conform within one (1) year following adoption of this ordinance. [1]

3. Immediate Removal. Streamers, pennants, banners, nonconforming in-window signs and signs which are dilapidated or abandoned may be declared nonconforming by written notice from the Director of Public Works citing the infraction and shall be promptly removed.

4. Removal Upon Change in Ownership. Whenever a business is sold or transferred to another franchise owner or lessor, or if a corporation owning the business is sold or inherited, the site shall be made to conform to all sign regulations of this Chapter within ninety (90) days.

5. Removal Upon Modification of Signage. Whenever any permanent sign is replaced or modified (including modifications to sign lighting, but not including message changes on reader boards), a sign permit shall be required, and the site shall be made to conform to all sign regulations of this Chapter prior to issuance of the sign permit.

When a substantial reduction in the amount of nonconformity is proposed by the applicant, the Planning and Zoning Commission may allow a portion of the nonconformity to remain until January 3, 1987.

B. Record of Nonconforming Signs. The Community Development Director shall compile a list of nonconforming signs and cause to be mailed to the owners of property on which such nonconforming signs are located and to the owners of the signs, if known, notice of the existence of such nonconforming signs and the time within which the same must be made to conform or be abated.

For purposes of such notification, the last-known name and address of the owner of the property in question shall be used as shown on the records of the City Clerk, or the last equalized assessment roll. The mailing of such notices shall be done primarily as a convenience to the owner of the property and of the sign. The failure to give such notice or the failure of the owner of the property or of the sign to receive the same shall in no way impair the effectiveness of the provisions of this subsection or the validity of any proceedings taken for the abatement of any such sign. Nonconforming signs shall be made to conform within the provisions of this subsection and the Uniform Building Code, or removed within the applicable period of time as set forth above.
C. Removal of Illegal Signs. Signs erected or placed contrary to the regulations of this Chapter shall be removed promptly upon notice from the Director of Public Works citing the infraction.

D. Removal by the City. In the event the sign(s) are not removed by the owner as required by paragraphs A or C above, the Community Development Director shall order the sign(s) removed by the owner of the property or any other person known to be responsible for the sign(s). If a nonconforming or illegal sign is not removed or made to conform within thirty (30) days after written notice, the Community Development Director shall remove, or cause to be removed, the sign or signs, and all costs incurred by the City shall become a lien against the property. The Community Development Director may establish a reasonable fee schedule for recovery of costs under this subsection. No new City permit of any type shall be issued until the lien has been paid in full.

(Ord. No. 04-09)