

ORDINANCE NO. 948-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BARSTOW AMENDING SECTION 19.06.060 OF THE BARSTOW MUNICIPAL CODE REGULATING SIGNS

WHEREAS, the City of Barstow amended its ordinance regulating signs under the Barstow Municipal Code on January 19, 2016 to address current needs and desires of the City, along with recent case law pertaining to local regulation of signs;

WHEREAS, subsequent to the adoption of the aforementioned revisions additional issues came to the attention of the City Council, as well as the City Attorney, including the need to clarify the definition, criteria, rationale and approval procedures for off-premise promotional signs, the need for improvements in the formatting and language of the ordinance and the continuing need to address concerns pertaining to the recent court case, *Reed v. City of Gilbert*;

WHEREAS, on March 7, 2016, the City Council of the City of Barstow introduced for first reading of the ordinance, conducting a second reading on March 21, 2016, pertaining to Section 19.06.060 of the Barstow Municipal Code regulating signs.

NOW, THEREFORE, the City Council of the City of Barstow does hereby ordain as follows:

Section 1. Code Amendment. Subsection 19.06.060 of the Municipal Code entitled, "Signs", is amended as set forth in Exhibit "A", attached hereto and incorporated by reference herein.

Section 2. California Environmental Quality Act. This ordinance is not a "project" subject to the California Environmental Quality Act (CEQA). "Project" does not include "general policy and procedure making" or "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment" pursuant to CEQA Guidelines § 15378(b).

Section 3. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 4. Effective Date. This Ordinance shall take effect thirty days after adoption as provided by Government Code Section 36937. Ordinance Number 941-2015U is hereby repealed in its entirety; provided, however, that such repeal shall not affect or excuse any violation of said Ordinance that occurred prior to the effective date of this Ordinance, nor shall such repeal impede, deter, impact, or negate any administrative, civil, or criminal enforcement of any violation of said Chapter that occurred prior to the effective date of this Ordinance.

Section 5. Construction. To the extent the provisions of the Barstow Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as it read prior to the adoption of this ordinance, they shall be read as continuations of those earlier provisions and not as new enactments.

Section 6. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code Section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting of the entire text.

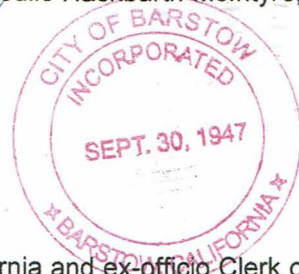
PASSED, APPROVED AND ADOPTED, this 21st day of March, 2016.

(Signatures on the following page)

Julie Hackbarth-McIntyre
Julie Hackbarth-McIntyre, Mayor

ATTEST:

JoAnne V. Cousino, City Clerk
JoAnne V. Cousino, City Clerk



I, JoAnne V. Cousino, City Clerk for the City of Barstow, California and ex-officio Clerk of the City Council, do hereby certify, UNDER PENALTY OF PERJURY, that the foregoing is a true and correct copy of Ordinance No. 948-2016 which was introduced at the regular meeting of the City Council of the City of Barstow held on the 7th day of March, 2016, and adopted at the regular meeting of the City Council of the City of Barstow on the 21st day of March, 2016 by the following vote:

- AYES: COUNCIL MEMBERS GRACEY, HARPOLE, HERNANDEZ; MAYOR PRO TEM SILVA; MAYOR HACKBARTH-MCINTYRE
- NOES: NONE
- ABSENT: NONE
- ABSTAINED: NONE

JoAnne V. Cousino, City Clerk
JoAnne V. Cousino, City Clerk

19.06.060 **Signs**

Subsections:

- 19.06.061 Purpose and intent.
- 19.06.062 Definitions.
- 19.06.063 General provisions.
- 19.06.064 Signs in specific zone districts.
- 19.06.065 Temporary signs.
- 19.06.066 Additional signs and sign standards.
- 19.06.067 Nonconforming signs.
- 19.06.068 Prohibited signs.
- 19.06.069 Preservation of Vintage Signs

19.06.061 Purpose and intent.

This chapter shall be known as the Sign Ordinance of the City of Barstow. The purpose is to promote the public health, safety and general welfare of persons living, working, walking, driving, or otherwise conducting activities within the City by regulating the use of on-premise and off-premise signs, whether temporary or permanent in nature. This chapter is intended to provide adequate visual identification of activities through commercial and non-commercial speech display while regulating the design, quality of materials, location, number, size, and maintenance of all signs and sign structures.

Nothing in this Ordinance shall prohibit the display and/or posting of a sign that is required by some other provision of state or federal law, including but not limited to, public notices, health warnings, etc.

19.06.062 Definitions

Unless specified elsewhere in this Chapter, the following words or phrases shall have the following meanings:

Animated/changeable copy sign

"Animated or changeable copy sign" means a sign with action or motion, color changes requiring electrical energy, electronic or manufactured sources of supply which the copy changes automatically or on which

copy is changed manually (e.g., readerboards with changeable letters), but not including wind actuated elements such as flags, banners, or specialty items.

Architectural projection

"Architectural projection" means any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building, but shall not include signs.

Area of sign

"Area of sign" means the entire area within any type of perimeter or border, which encloses the outer limits of any writing, representation, emblem, figure or character. The area of a sign having no such perimeter or border shall be computed by enclosing the entire area utilized by any writing, representation, emblem, figure or character within a single continuous rectilinear perimeter of the smallest size and computing the area.

Billboard or outdoor advertising structure

"Billboard or outdoor advertising structure" means a sign which has a flat surface sign space upon which advertising may be posted, painted, or affixed, and which is designed for the rental or lease of such sign space for advertising not relating to the use of the property upon which the sign exists.

Building facade

"Building facade" means that portion of an exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

Building facade facing

"Building facade facing" means a resurfacing of an existing facade with approved material (illuminated or non-illuminated).

Civic event sign

“Civic event sign” means a sign, other than a commercial sign, posted to advertise a civic event sponsored by a public, religious, charitable, educational, or cultural agency.

Electrical service

"Electrical service" means the electrical wires or cables which provide direct service to any sign, from the serving utilities facilities.

Electronic reader board

“Electronic reader board” means a sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means.

Free standing sign

"Free standing sign" means a sign which is supported by one or more columns, uprights or braces in or upon the ground and is not dependent on any part of a building.

Freeway oriented sign

"Freeway oriented sign" means a sign that is intended to be visible from a right-of-way constructed and maintained by the California Department of Transportation that is designated for speeds of 60 miles per hour or more.

Incidental informational sign

“Incidental informational sign” is a sign, emblem or decal conveying information to the general public of goods, facilities or services available on the premises including, but not limited to the following: restrooms, hours of operation, acceptable credit cards, property ownership or management, phone booths and recycling containers.

Gateway sign

“Gateway signs” are City sponsored signs typically placed along the freeway to the City

Illuminated sign

"Illuminated sign" means a sign in which a source of light is used in order to make readable the message. This definition includes internally and externally lighted, and reflectorized, glowing, or radiating signs.

Marquee and marquee sign

"Marquee" is a permanent roofed structure attached to, and supported by the building and projecting over public property. "Marquee sign" means any sign attached to or constructed in a marquee.

Monument or ground sign

"Monument" or "ground sign" means a low-profile, freestanding structure not more than six feet in height from finished grade nor more than ten feet in length containing a sign area of no more than fifty square feet per sign face and no more than 100 square feet per sign and with no open space below the sign panel.

Nonconforming sign

"Nonconforming sign" means any sign that does not meet current standards, but met the standards at the time of its lawful construction.

Off-premise promotional sign

"Off-premise promotional sign" means a sign that has been determined by the Planning Commission to be an architecturally distinct edifice designed for the rental or lease of space for advertising not related to the use of the property upon which the sign exists, but for the promotion of one or more activities, events or land uses within the City of Barstow. Promotion of local activities, events and land uses is a compelling governmental interest in that such uses generate revenue for the general fund to help provide police, fire and road infrastructure

On-site sign

"On-site sign" means a sign which carries only advertisements strictly incidental to a lawful use of the premises on which it is located. Shopping centers subdivided for financial or ownership purposes shall be considered one site for the purposes of on-site signs. All other signs that do not qualify as an on-site sign shall be classified as an off-site sign.

Permanent directional sign

"Permanent directional sign" means a sign intended to direct pedestrian and/or vehicle traffic to a land use or event on a permanent basis.

Point of sales sign

"Point of sales sign" means a temporary poster type on-site sign typically located: at the ends of fuel pump islands mounted on or between the pipe bollards protecting the pump islands; on fuel pumps; on light standards or; on the building.

Projecting double faced building sign

"Projecting double faced building sign" means a double faced sign which projects more than twelve inches over public property, and which uses a building wall as its main source of support.

Revolving sign

"Revolving sign" means a sign or sign structure which revolves three hundred sixty degrees.

Roof sign

"Roof sign" means a sign erected upon or extending above a roof or parapet wall of a building and which is wholly or partially supported by the building.

Shopping center sign

"Shopping center sign" means a sign for a group of three or more commercial uses designed to function as an integral unit on a single parcel or contiguous parcels and which utilize common off-street parking and access.

Sign

"Sign" means any material, structure or device and all parts thereof in view of the general public that displays either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols and/or representations. Examples include, but are not limited to a billboard, ground mounted, free standing, wall, roof, illuminated, projecting, and monument devices, street clock, and/or flag and includes any announcement, declaration, demonstration, display illustration or insignia.

Sign structure

"Sign structure" means any structure which supports or is capable of supporting any sign as defined in this code. A sign structure may be a single or multiple pole, ground mounted, and may be a part of a building to which it is attached.

Special Event Sign

A temporary sign or banner that is intended to inform the public of a unique happening, action, purpose, or occasion, such as a grand opening or community event.

Temporary sign

"Temporary sign" means a sign that is intended to advertise any use on a temporary basis.

Under marquee sign

"Under marquee sign" means a lighted or unlighted display attached to the underside of a marquee protruding over public or private sidewalks or right-of-way.

California Building Code

"California Building Code" means the current edition of the California Building Code, California Code of Regulations, Title 24, Part 2, Volume 2 of 2 as published by the California Building Standards Commission as has been officially adopted by the City.

Uniform Sign Code

"Uniform Sign Code" means the current edition of the Uniform Building Code as published by the International Conference of Building Officials.

Wall sign

"Wall sign" means a sign which is in any manner affixed to any exterior wall or a building or structure and which projects not more than eighteen inches from the building or structure wall.

Window sign

"Window sign" means a sign whether temporary or permanent, placed on or parallel to the window of a building, and visible from the outside of the building.

Zoning or land use

"Zoning or land use" means the land use district established by the City and contained within this Title 19.

19.06.063 General provisions.

1. Permit Required.

Except as otherwise provided in this Chapter, it is unlawful for any person to construct, erect, repair, alter the structure of, or otherwise relocate any sign without first obtaining a sign permit, and building/electrical permit(s) if required. Repainting a legally existing sign, or changing the advertising copy thereon shall not require a sign permit unless a structural change is made and/or the sign area is increased.

Unless otherwise specified in this chapter, a permit is a sign or construction permit for the modification, repair or construction of a sign. Said permit may also include an electrical permit

for signs that are illuminated. Application for permits shall be submitted to the Building Department accompanied by no less than three sets of plans. Said application and plans shall be reviewed by staff for compliance with this code and any applicable sign program.

Where specified in this code, certain signs (including but not limited to, off-premise promotional signs, as required by an adopted sign program, adoption of a sign program, or other signs subject to the requirements of Chapter 19.30 of the municipal code) shall require the approval of a conditional use permit prior to the issuance of a sign or construction permit.

2. Maintenance.

- a. Every sign and sign structure allowed by this Chapter shall be continuously maintained. This shall include, but is not limited to, painting, cleaning, replacement of lighting (for illuminated signs) or missing letters, keeping structural elements and bracing in a safe condition, and internal structural elements screened from view.
- b. In addition to subsection 1, every sign and/or sign structure advertising a use no longer being conducted on the property for a continuous period of 90 days or more shall also be subject to the following:
 - i. The sign copy and/or panel of a wall and/or freestanding sign shall be removed and replaced with an opaque panel.
 - ii. Freestanding sign structures shall be allowed to remain unused for a period not to exceed one (1) year, after which such sign structure shall be removed.

3. Signs on municipal properties and public right-of-way.

It is unlawful to erect or maintain any sign on City-owned property without first obtaining an encroachment permit from the City Engineer. For banners within the public right-of-way, see Chapter 12.16. Any permanent sign shall be through a development agreement, or other agreement, approved by the City Council.

4. Signs on Nonconforming Sites.

Notwithstanding Section 19.06.060(G) for nonconforming signs, new signs proposed on property classified as nonconforming shall be subject to the provisions of Chapter 19.38.

5. Design Standards.

Signs allowed under this Chapter shall be designed to conform to the following criteria:

- a. Freestanding signs – freestanding signs shall be constructed of a single pole (located in the center of the sign cabinet) or multiple poles (poles located equidistant from the outer edges of the sign cabinet). Said sign pole or poles shall include pole covers unless the pole is designed from square or rectangular tubing. Sign shall include architectural integration to tie the sign to the main structure which it serves.
- b. Freeway oriented signs – freeway oriented signs shall be of a single pole (located in the center of the sign cabinet) or multiple poles (poles located equidistant from the outer edges of the sign cabinet). Said sign pole or poles shall include pole covers unless the pole is designed from square or rectangular tubing. Sign shall include architectural integration to tie the sign to the main structure which it serves.
- c. Monument signs – monument signs shall include a base of at least 12 inches in height and continuous along the bottom of the sign cabinet with no open space between the finished grade and base or base and bottom of sign cabinet. The materials of the base shall be masonry, concrete, rock, or of a material consistent with the main building which it serves.
- d. Wall signs – wall signs shall be cabinet type, individual can letters, UV rated high-quality plastic letters, or sheet (1/2 inch or 3/4 inch, exterior grade Medium Density Overlay (MDO) or High Density Overlay (HDO) plywood or 0.080 inch aluminum) mounted. Any plywood or aluminum sheet mounted signs shall include some form of trim pieces around the perimeter of the sign such as a 2x4 frame notched (centrally located) to accept the plywood, or square or rectangular tubing welded, screwed or bolted to the aluminum panel (no screws or bolts shall protrude from the face of the trim pieces). Trim shall be provided for all visible faces of the sign. See construction standards in Exhibit A1. Any plywood sign shall have the edges sealed to increase the longevity of the sign. Any cabinet or can sign that is illuminated shall be UL approved. Signs painted directly on buildings shall feature an integrated design theme, consistent with any approved specific plans or area plans. Any identifying information on a wall sign shall be subordinate to the theme of the sign. Any existing signs painted on the building shall be maintained in good quality (i.e., no fading, peeling, etc.). Signs that become faded, peeling, etc. shall be repainted or painted over to match the color of the building. When the tenant of a property with a wall sign vacates the premises, any wall signs pertaining to that tenant shall be painted over to match the color of the building in accordance with Section 19.06.060(C)(2) above.

6. Sign Programs.

The purpose of a sign program is to provide comprehensive review, address specific signing needs and the establishment of sign details and locations for multiple businesses in a single project, which: 1) may develop separately; 2) the strict application of this sign ordinance will not result in an integrated project; 3) signing required for a specific project may not be adequately addressed within this sign ordinance, and/or 4) may warrant a deviation from the standard provisions in this sign ordinance.

- a. Eligibility: A project shall be a minimum of three acres or more in area, must include commercial or industrial uses, and shall be designed to utilize common parking and driveways. If more than one parcel is involved, reciprocal access and parking easement provisions shall be recorded against the properties. However, a sign program application for a single business, or multiple businesses, on a parcel less than three acres may be allowed if directed by the Planning Commission as a result of a condition of approval from some other discretionary review
- b. Process: Sign programs shall be processed in a manner consistent with the review and approval of a conditional use permit pursuant to Chapter 19.30. The application shall be accompanied by the following information and drawings:
 - i. Number of signs
 - ii. Size of signs
 - iii. Location of signs
 - iv. Height, if free standing
 - v. Method of illumination
 - vi. Architectural composition and materials
 - vii. Reader board signs (must adhere to Caltrans regulations)
 - viii. Electronic signs (including LED displays) provided no movement (including scrolling or flashing) is depicted or simulated (must adhere to Caltrans regulations).

The area of a reader board signs or electronic sign shall be considered part of the overall area allowed for the type of sign to which it is attached (i.e., reader

board attached to wall sign must total no more in area than the maximum allowable for a wall sign)

- c. The location and maximum area of all signs submitted under a sign program shall be subject to the determination of the planning commission. Height of signs is subject to Section 19.06.060(D) and Section 19.06.060(F)(5).
- d. Specific signing needs may include, but are not limited to, the installation of multiple freeway signs for any applicable project, including, if determined necessary by the Planning Commission and/or the City Council, additional signage and signage types that would otherwise not be allowed under this Chapter, the applicable base zoning district, specific plan, or other development plan. Signs associated within a sign program shall not be utilized for off-site advertising, but shall be limited to those land uses or activities within the center. Electronic signs may also be used for emergency announcements, including Amber Alerts. Should sign spaces be available, a business may advertise on up to two freeway signs upon approval, or conditional approval, of the Planning Commission as part of the sign program adoption or amendment. The provisions of this Section 19.06.060(C)(6) related to sign programs shall govern over any conflicting provisions in this chapter.
- e. Requests to modify an approved sign program shall be through a conditional use permit modification.

19.06.064 Signs in specific zone districts.

1. Signs shall be allowed within each zoning district subject to the following provisions: The following signs are allowed within a single-family district:
 - a. Personal identification nameplate and address for each residence, not exceeding two square feet in area;
 - b. One sign shall be allowed at each major entrance into a housing tract or mobile home park, either in the form of a masonry screen wall sign or retaining wall sign, or in the form of a monument sign. Said sign shall be as follows:
 - i. Wall-mounted signs shall not alter the integrity of the screen or retaining wall to which applied, and shall not exceed 5 feet in height and 20 square feet in area. Said sign shall be a minimum of six inches below the top of a screen or retaining wall. See location standards in Exhibit A3.

- ii. Monument signs shall not exceed 5 feet in overall height from adjacent surface and sign area shall not exceed 4 feet in height and 20 square feet in area. See construction standards in Exhibit A2.
 - iii. There shall be a minimum of 300 feet separation along any given street for any single tract or mobile home park, including any applicable phases. A maximum of two signs shall be allowed along any given street frontage.
 - iv. For purposes of emergency services and neighborhood identification, signs shall include only the name of the housing tract or mobile home park. Mobile home park signs may include the address of the park.
 - v. Subdued illumination of signs shall be allowed.
 - vi. Signs shall not be located within any public right-of-way or cause a sight-visibility problem. See location criteria in Exhibits A2 and A4.
- c. Any signs associated with a use approved pursuant to Chapter 19.30 (Conditional uses).

2. Multiple-family residential district.

The following signs are allowed within a multiple-family residential district:

- a. One wall or monument sign shall be allowed for each street frontage.
 - i. Area of sign shall not exceed 1 square foot per lineal foot of street frontage with a maximum of 25 square feet. No sign shall exceed 10 feet in width.
 - ii. Wall signs shall be located below the roof edge, or shall be a minimum of six inches below the top of a screen or retaining wall for wall signs, or shall not be more than 4 feet in height for a monument sign. See location standards in Exhibit A3 and construction standards in Exhibit A2 of this chapter.
 - iii. Internal or external illumination is allowed provided that illumination is subdued and that there is no glare onto adjacent properties or within any public right-of-way.
 - iv. Signs shall not be located within any public right-of-way or cause a sight-visibility problem. See location criteria in Exhibits A2 and Exhibit A4.

- b. Signs that include the name of the apartment and/or occupant name and address for the purpose of neighborhood identification. When there are fewer than 4 units per complex, signs shall be limited to those allowed in Section 19.06.064(1)
- c. Signs associated with a use approved pursuant to Section 19.30 (Conditional uses). Such signs shall be limited to the following:
 - i. One freestanding sign (regardless of street frontages) not to exceed 15 feet in height and an area not to exceed 25 square feet in area, or one monument sign not to exceed 4 feet in overall height and not exceeding 30 square feet in area. See construction standards in Exhibit A2 and Exhibit A4.
 - ii. Wall sign located below the edge of the roof and not exceeding 1 square foot per linear foot of street frontage, with a maximum of 25 square feet in area and shall not exceed 10 feet in width. Wall signs shall be limited to one per street frontage with a maximum of two provided both signs are not on the same building elevation. See location standards in Exhibit A3.
 - iii. Internal or external illumination is allowed provided that illumination is subdued and that there is no glare onto adjacent properties or within any public right-of-way.
 - iv. Signs shall not be located within any public right-of-way or cause a sight-visibility problem. See location criteria in Exhibit A2 and Exhibit A4.
- d. Other signs as approved by the Planning Commission under a conditional use permit.

3. Diverse use (DU) and human services (HS) districts:

The DU and HS districts are intended for a mixture of uses ranging from a variety of residential uses through commercial. Residential uses shall be subject to Section 19.06.064(1) for single family residential (ER, LDR and SFR districts) and Section 19.06.064(2) for multiple family residential (MDR district). Signs that are professional office and commercially oriented shall be subject to Section 19.06.064(4).

4. Commercial district.

The following signs are allowed on each parcel within the commercial district, and may be internally or externally illuminated:

- a. One freeway oriented sign as contained within Section 19.06.063(5)(b)
- b. One freestanding pylon sign up to 25 feet in height and with an area not to exceed three (3) square feet per linear foot of business frontage up to a maximum of 100 square feet, except a commercial shopping center (containing three or more businesses) shall be allowed a maximum of 150 square feet; or one monument sign up to five feet in overall height and forty square feet in area, except commercial shopping center shall be allowed a multi-tenant monument sign up to six feet in overall height and up to fifty square feet in area. Centers with secondary street frontage shall be allowed an additional freestanding sign for that frontage up to a maximum of 100 square feet, provided such sign does not exceed the primary frontage freestanding sign area. Any additional freestanding signs, or a multi-tenant sign, shall be subject to a sign program as approved by the Planning Commission. See construction standards in Exhibit A2 and Exhibit A4.

- c. Wall signs shall be allowed as identified below:

One wall sign for each street frontage with up to 3 square feet of area per lineal foot of business frontage. Said signs shall not exceed in length 75% of the business frontage. For the purpose of this ordinance a freeway or highway frontage shall be considered a street frontage.

Additional wall signs may be allowed subject to review by the Planning Department for visibility from other commercial or industrial properties and/or nearby roadways (including freeways and highways) and access easements. Wall signs shall not exceed the size of the primary street frontage signs. No business shall be allowed more than four wall signs. No business shall have more than one wall sign per building elevation except as allowed under a sign program.

Wall signs shall be located below the edge of the roof or on a parapet, but the sign cannot extend above the parapet. See location standards in Exhibit A3.

- d. Electronic reader board signs may be used as part of any wall or freestanding sign. However, the area of said reader board shall be considered part of the overall area allowed for the type of sign to which attached (i.e., reader board attached to wall sign must total no more in area than the maximum allowable for a wall

sign). Electronic reader board signs shall meet Caltrans regulations and shall not scroll, flash, or depict any motion.

Signs shall not be located within any public right-of-way or cause a sight-visibility problem. See location criteria in Exhibit A2 and Exhibit A4.

- e. Temporary signs as contained within Section 19.06.060(E).
- f. Off-premise promotional signs.

Off-premise promotional signs shall be allowed subject to the following standards:

- i. A conditional use permit shall be required.
- ii. Signs shall be architecturally distinct and shall be approved by the Planning Commission with a specific finding that the proposed sign is architecturally distinct.

Factors to be considered by the Planning Commission in determining whether the sign is architecturally distinct may include:

- Fully-integrated design with an overarching theme (eg. Route 66 Business Corridor, Heart of the Mojave, etc.)
 - Design features that differentiate the structure from conventional highway-oriented advertising signs (placement of a conventional sign atop a distinctive base would not meet the criterion).
 - Cladding of pole covers that is cohesive with the overall design of the sign.
 - Advertising panels shall be integrated with base and other sign components.
- iii. The overall height of the sign shall be no more than 75 feet above the nearest freeway travel lane or adjacent grade. The Planning Commission may establish a lower maximum sign height on a case-by-case basis.
 - iv. The area of the sign shall be approved by the Planning Commission based upon the number of individual sign panels and distance from the interstate. Individual businesses shall be limited to one sign panel per sign face. Individual advertising panels shall be limited in size to 350 square feet.

- v. The sign shall be located within three thousand five hundred (3,500) feet of a freeway interchange.
- vi. Signs shall be separated by a distance of no less than two thousand five hundred (2,500) feet of any other off-premise promotional sign on the same side of the freeway.
- vii. Light-emitting diode (LED) or similar electronic signs shall incorporate Amber Alert warnings. An automatic dimmer shall also be included to dim the sign during the evening hours to avoid glare. The Electronic/LED sign shall not depict any movement and shall be consistent with Caltrans Standards.
- viii. The sign panels shall be limited to the business name and logo, but may include information such as “next exit” or similar directional information.
- ix. All sign cabinets shall be enclosed on the sides, top and bottom. Single-faced signs shall have an enclosed back.

5. Industrial district.

The following signs are allowed on each parcel within the industrial district, and may be internally or externally illuminated:

- a. One freeway oriented sign as contained within Section 19.06.063(5)(B)
- b. One freestanding sign up to 25 feet in height and with an area not to exceed two (2) square feet per linear foot of business frontage up to a maximum of 100 square feet in area, or one monument sign up to 6 feet in overall height and 50 square feet in area. See construction standards in Exhibit A2 and Exhibit A4.
- c. Wall signs shall be allowed as identified below:
 - i. One wall sign for each street frontage with up to 2 square feet of area per linear foot of business frontage. Said signs shall not exceed in length 30% of the business frontage.
 - ii. Additional wall signs may be allowed subject to review by the Planning Department for visibility from other commercial or industrial properties

and/or nearby roadways (including freeways and highways) and access easements. Wall signs shall not exceed the size of the street frontage signs. No business shall be allowed more than four wall signs. No business shall have more than one wall sign per building elevation except as allowed under a sign program.

- iii. Wall signs shall be located below the edge of the roof or on a parapet, but the sign cannot extend above the parapet.
 - iv. Electronic reader board signs may be used as part of any wall or freestanding sign. However, the area of said reader board shall be considered part of the overall area allowed for the type of sign to which attached (i.e., reader board attached to wall sign must total no more in area than the maximum allowable for a wall sign). Electronic reader board signs shall meet Caltrans regulations for scrolling, flashing, etc.
 - v. Signs shall not be located within any public right-of-way or cause a sight-visibility problem. See location criteria in Exhibit A2 and Exhibit A4.
- d. Temporary signs as contained within Section 19.06.065.

6. O – Open Space and PF – Public Facilities districts.

The following signs are allowed on each parcel within the Open Space and Public Facilities districts:

- a. One freestanding sign up to twenty (20) feet in height and fifty (50) square feet in area, or one monument sign up to five (5) feet in overall height and forty (40) square feet in area shall be allowed per site. See construction standards in Exhibit A2 and Exhibit A4.
- b. One wall sign per business per street frontage (a maximum of two per business) subject to the following:
 - i. One wall sign for each street frontage with up to two (2) square foot of area per lineal foot of business frontage. Said sign shall not exceed in length seventy-five (75) percent of the business frontage.

- ii. Additional wall signs may be allowed subject to review by the Planning Department for visibility from non-residential properties and/or nearby roadways (including freeways and highways), access easements and on-site pedestrian areas. Wall signs shall not exceed the size of the street frontage signs. Wall signs directed towards on- site pedestrian areas shall not exceed one (1) square foot of area per lineal foot of business frontage. No business shall be allowed more than four wall signs and shall not have more than one wall sign per building elevation, except as allowed under a sign program.
- iii. Wall signs shall be located below the edge of the roof or on a parapet, but the sign cannot extend above the parapet. See location standards in Exhibit A3. Wall signs shall not exceed 10 feet in width.
- iv. Signs may be internally or externally illuminated.
- v. Signs shall not be located within any public right-of-way or cause a sight visibility problem. See location criteria in Exhibit A2 and Exhibit A4.

7. SP – Specific Plan district.

Signs allowed within an adopted specific plan district shall be those contained within the adopted specific plan pertaining to the site.

When the specific plan refers back to the sign ordinance, the sign standards of the closest comparable zoning district shall be used to determine allowed signs.

Should no specific plan be required signs shall be limited to those allowed in the single-family residential zoning district.

8. PUD – Planned Unit Development.

Signs allowed within the base zoning district to which a planned unit development is applied as an overlay district, or any standards/restrictions established as part of an adopted planned unit development shall be allowed.

9. MZ – Military Zone.

The Military zone is under Federal authority and is not subject to this Chapter.

19.06.065 Temporary signs

1. General Requirements for Temporary Signs

- a. Temporary signs shall be allowed for use in the City subject to the following regulations. Every request for temporary signs listed under subsections (1), (4), (5), (6) and (7) of this section shall be made on a temporary sign permit application available from the City and shall require a twenty-five dollar (\$25) permit fee.
- b. Temporary sign permits shall be valid for the length of the promotion or up to ninety (90) days, whichever is less, no more than four (4) times per year, unless otherwise specifically stated. All temporary signage must be kept in good repair. Temporary signage that has been damaged by weather, is ripped, torn, faded or no longer able to be read must either be repaired, replaced or removed.
- c. Any temporary sign shall be removed by the owner of the property on which the sign is located within ten days after completion of the event or use it advertises.

2. Types of Temporary Signs

- a. Banners, flags, streamers/pennants, inflatable advertising devices, hand held signs.
 - i. Banner, flags, streamers/pennants (for uses other than automobile sales facilities), and inflatable advertising devices, including nonmetallic balloons, shall be allowed as a means of advertising and promoting businesses subject to the following regulations:
 - ii. Only in conjunction with special promotions (i.e., grand openings, sales, new ownership/management or other event approved by the Planning Department).
 - iii. Issuance of a temporary sign permit shall allow for the use of either one (1) banner, two (2) flags, one (1) inflatable device, one (1) handheld sign, pennants or streamers, or a combination of the aforementioned, upon approval of the Planning Department.
 - iv. Placement of all temporary signs, including banners, streamers, pennants, inflatable devices and handheld signs shall be subject to the approval of the Planning Department.

- v. Method of attachment of banners, flags, inflatable devices and/or pennants/streamers must be approved by the City's Building Department.
 - vi. Banners shall not exceed the total square footage of permanent on-site signage allowed under this chapter for the subject business.
 - vii. Streamers, pennants and balloons may be detached from the building, but may not be on or attached to public property, and not attached to utility poles or light standards within the public right-of-way.
 - viii. Only one (1) inflatable device, including a balloon larger than twelve (12) inches in diameter, or an inflatable statuary is allowed.
 - ix. Banners proposed within the public right-of-way shall be subject to Chapter 12.16 (Banners).
- b. Hand-held Signs
- i. Hand-held signs shall not be constructed of paper and/or cardboard.
 - ii. Handheld signs shall not constitute a hazard to vehicular and pedestrian traffic.
 - iii. Hand held sign applicants shall not be required to pay the twenty-five (25) dollar temporary sign permit fee.
- c. Temporary signs posted prior to an election shall be allowed subject to the following regulations:
- i. Temporary signs shall be allowed on private property three months prior to an election and for 10 days following the election. When located on developed property, such signs may not exceed sixteen square feet; and when located on vacant property, such signs may not exceed thirty-two square feet. No such sign may exceed ten feet in overall height.
 - ii. Signs posted pursuant to this section that are located at the intersection of two streets shall not cause a sight-distance obstruction for vehicles on the street pursuant to Section 19.06.040 of this chapter. Such signs are prohibited

within any public right-of-way, and/or public-owned property, including but not limited to curb, sidewalk, parkway, median, and utility poles.

- iii. Signs installed in noncompliance with any of these regulations shall be removed immediately, after the property owner has been given prior notice of the removal. If the city incurs any expense in removing noncompliant signs, the person responsible for such posting may be billed, and if such bill is not paid, will be subject to payment of a civil penalty. The applicant or property owner shall cause the removal of all temporary signs located on his or her property within ten days following the election.

- d. On property for sale, lease, or rent, temporary signs shall be allowed with the following regulations:
 - i. Such signs shall not exceed one per street frontage.
 - ii. Such signs shall not be illuminated.
 - iii. Such signs shall not exceed eight (8) square feet in area in single-family residential districts, and thirty-two (32) square feet in area in all other districts. For properties in any zone district that abut and are visible from a freeway, such signs shall not exceed sixty-four (64) square feet in area.
 - iv. Such signs shall not exceed ten (10) feet in overall height, except when more than thirty-two (32) square feet in area. In this case, such signs shall not exceed sixteen (16) feet in height.
 - v. Such signs shall be removed within thirty days following the sale, lease and/or rental of the property.
 - vi. Nothing in the above regulations shall prevent the use of existing on-site sign structures (i.e., wall sign cabinets and/or free standing signs) in place of the signs allowed in this subsection.

- e. Window Signs.
 - 1. Types of Window Signs. Window signs shall be categorized by the type of sign and allowed in the commercial and industrial districts:
 - i. Paper, plastic, painted or other sign material posted in a window that is more than eighty (80) percent opaque, shall be limited to no more than

thirty (30) percent of the total window area. This window area may be configured as one or more window panes that make up the storefront of the business to which it applies, or up to twenty-five percent of each window pane. All signs shall be professionally printed and shall not be hand-written. Painted signs shall be installed by a licensed sign painter and shall require a sign permit.

ii. Perforated vinyl graphics that are professionally printed and installed by a licensed contractor. Said sign may encompass the entire window or storefront area, and shall be installed as follows:

1. A sign permit for any perforated vinyl signs shall be required prior to installation.
2. Perforated signs shall be comprised of a maximum of fifty (50) percent opacity and a minimum of fifty (50) percent, 1.5 millimeter open perforation.
3. Perforated signs shall have a single, unifying theme and are not intended to be comprised of several different themes or contrasting images or colors
4. Due to the climate, any such signs to remain more than one year shall be laminated to prevent dust and water from obscuring the visibility due to collection of dust and water in the perforations.

2. Window sign standards:

- i. A combination of perforated and other window signs is prohibited except as allowed by state and/or federal law.
- ii. All window signs shall be well maintained. Any fading, peeling, tearing, discoloring of any window sign shall be removed or replaced.
- iii. On a multi-story building, window signage shall be limited to the first floor, or ground level floor.
- iv. Window signs shall be reviewed for form and content prior to installation.
- v. When the tenant of a property with window signs vacates the premises, all signs pertaining to that tenant shall be removed from all windows,

including but not limited to Perforated Vinyl, Vinyl, paper, plastic, and/or painted signs.

f. Signs on a construction site.

Signs on a construction site shall be allowed in all zone districts provided such signs do not exceed one per street frontage, nor forty-eight (48) square feet in area nor ten (10) feet in height. All such signs shall be removed prior to issuance of a certificate of occupancy from the Building Official.

g. Signs on a subdivision or model home site.

Signs on the site of a subdivision under development or at a model home shall be allowed subject to the following regulations:

- i. Such signs shall be allowed on private property only in the subdivision;
- ii. Such signs shall not exceed ten (10) feet in overall height;
- iii. Such signs shall not exceed thirty-two (32) square feet in area.
- iv. Such signs may be installed at each street entrance into the subdivision along the perimeter of the subdivision, provided signs are no closer to each other than 300 feet.
- v. Additional signs on model home sites, including off-site subdivision signs, may be allowed if approved as part of a conditional use permit pursuant to Chapter 19.30 (Conditional uses).

h. Other temporary signs.

Temporary signs which are deemed non-commercial shall be limited to placement on private property with consent of the property owner.

- i. Non-commercial temporary signs placed on residentially zoned properties shall not exceed four (4) square feet.
- ii. Non-commercial temporary signs placed on non-residentially zoned properties shall not exceed twenty-five (25) square feet.
- iii. Non-commercial temporary signs are not allowed within the public right-of-way.

- iv. Non-commercial temporary signs can be displayed for a period of no longer than forty- five (45) days, up to 4 times per year.

19.06.066 Additional signs and sign standards.

1. Fueling station signs.

The following signs are allowed for fueling stations:

- a. One freeway oriented sign if the service station qualifies under Section 19.06.066(5)
- b. One freestanding pylon sign up to 25 feet in height and 45 square feet in area, or one monument sign up to 6 feet in overall height and 50 square feet in area. See construction standards in Exhibit A2 and Exhibit A4.
- c. Wall signs shall be allowed as identified below:
 - i. One wall sign for each street frontage with up to 1 square foot per lineal foot of property frontage up to 35 square feet in area. For the purpose of this ordinance a freeway or highway frontage shall be considered a street frontage.
 - ii. Additional wall signs may be allowed subject to review by the Planning Department for visibility from other commercial or industrial properties and/or nearby roadways (including freeways and highways) and access easements. Wall signs shall not exceed the size of the street frontage signs. No business shall be allowed more than four wall signs. No business shall have more than one wall sign per building elevation except as allowed under a sign program.
 - iii. Wall signs shall be located below the edge of the roof or on a parapet, but the sign cannot extend above the parapet. See location standards in Exhibit A3.
- d. Fueling pumps shall be limited to a cumulative maximum sign area of 6 square feet per side and shall be consistent with Sections 13470-13490 of the California Business and Professions Code. This shall include any visual information that is placed within the pump base, upon the spandrel, or on a placard (point of sale) or television monitor placed on top of the fuel pump cabinet. Signage located on the spandrel shall be limited to that area directly

above the fuel pump. Any variation from this subsection shall require the approval of a conditional use permit pursuant to Chapter 19.30 of the municipal code. Any fuel pump signs in place prior to the adoption of this ordinance may remain until such time that the pumps are replaced or re-faced.

- e. Changeable copy sign:
 - i. One monument sign (meeting the standards of the applicable zone district) for each street frontage, or one "L" shaped sign located near the property corner if on a corner lot, consistent with Sections 13530-13540 of the California Business and Professions Code; or
 - ii. One changeable copy sign as part of the twenty-five (25) foot high identification sign. Said changeable copy sign shall be located no more than 10 feet above the adjacent surface to the top of the sign cabinet and architecturally integrated with the identification sign. Said changeable copy sign shall be visible from all public streets as required by the Department of Weights and Measures, consistent with Sections 13530-13540 of the California Business and Professions Code.
 - iii. Two pump island canopy signs shall be allowed. Additional canopy signs may be allowed subject to review by the Planning Department for visibility from other commercial or industrial properties and/or nearby roadways (including freeways and highways) and access easements. No fueling station shall be allowed more than four signs for each canopy except as allowed under a sign program.
- f. Point of sale signs shall not be allowed.
- g. Signs may be internally or externally illuminated.
- h. Signs shall not be located within, or extend into, any public right-of-way or cause a sight-visibility problem. (See location criteria in Exhibits A2 and A4).

2. Automobile Sales Facility streamers/pennants.

Streamers/pennants within vehicle display areas of new and/or used automobile vehicle dealers are allowed provided such signs are kept in good repair and do not

extend within public right-of-way. Any weathered, torn or faded streamers and/or pennants shall be repaired, replaced or removed immediately.

3. Permanent directional signs.

Permanent ancillary signs shall be allowed in all zone districts, except single-family residential, provided the following standards are met:

- a. Directional signs shall be limited to:
 - i. Those land uses or events located on the same parcel or center as the sign. May be used to direct vehicles to recreational vehicle and/or commercial truck parking spaces.
 - ii. May be used to direct vehicles/pedestrians to shipping/receiving areas for commercial and industrial uses.
 - iii. May be used to direct vehicles/pedestrians to manager's unit/office.
 - iv. May be used to direct vehicles to drive-through aisle.
- b. Said signs are intended to direct pedestrian and/or vehicle traffic to a land use or event.
- c. Sign cabinets shall be a standard square or rectangular shape, not representing an "identifiable" business shape (i.e., shape of the corporate logo).
- d. Signs shall be mounted on supports that match other signs on-site (i.e., pole covers, masonry, etc.).
- e. Area of signs shall be limited to four (4) square feet per face. Uses that cater to trucks shall be limited to six (6) square feet per face.
- f. Height of signs shall not exceed forty-two (42) inches in height. Uses that cater to trucks shall be limited to eight (8) feet in height for directional signs.
- g. Colors shall be integrated with the base colors of the building to which the signs pertain (i.e., building base color shall be used for pole and cabinet, corporate colors may be used for sign faces).

4. City-sponsored signs.

City-sponsored signs are allowed on city-owned property (including right-of-way) subject to approval of the City Council.

5. Freeway oriented sign.

Freeway oriented signs are allowable for commercial or industrial uses that are oriented towards, or rely on access from the freeway (interstate 15, 40, and Highway 58) subject to the following standards:

- a. One freeway oriented sign shall be allowed for each parcel or commercial/industrial center.
- b. The maximum height is fifty feet above the nearest travel lane, or (in the case where property is above the freeway) from the finished grade of the property. This does not include the freeway on- or off-ramps.
- c. There shall be a minimum separation of one hundred feet from any other freeway oriented sign.
- d. There shall be a maximum sign area of three hundred square feet for each single use sign. An additional one hundred and twenty-five square feet shall be allowed for each multiple use sign. An additional fifty square feet shall be allowed for each fifty lineal feet over three hundred feet from the freeway travel lane for each single use sign, and if the sign is multiple use an additional twenty-five square feet for each additional use advertised on the sign. In any event, no freeway oriented sign shall have an area larger than five hundred square feet.
- e. Signs may be internally or externally illuminated.
- f. Multiple businesses shall, whenever feasibly possible, co-locate on the same sign subject to the following provisions:
 - i. A reciprocal maintenance agreement and access easement shall be recorded against the property and with all parties and parcels involved.
 - ii. The total sign area for multiple-business signs may be increased up to twenty- five percent above the overall sign for a single-tenant sign for each additional tenant.

- g. For signs located within the Interstate 15/40 and Highway 58 commercial and industrial areas, the following shall apply:
 - i. Freeway oriented signs within one thousand feet of the nearest freeway travel lane shall be allowed with an overall height of seventy feet from the adjacent grade, or for locations below the freeway, seventy feet above the nearest freeway travel lane. For signs greater than one thousand feet from the nearest freeway travel lane, but not more than two thousand five hundred feet from the nearest freeway travel lane, the sign height may be increased ten feet for each additional five hundred feet distance up to a maximum of one hundred feet in overall height. Sign height shall be based upon the average adjacent grade.
 - ii. The co-location of multiple business signs on a single sign structure shall be allowed subject to the provisions of 19.06.060(F)(5)(f) above.
 - iii. Signs more than fifty feet in overall height shall utilized two poles.
 - iv. The area for a single-tenant sign shall be limited to three hundred square feet if within one thousand feet of the nearest freeway travel lane. For signs between one thousand and two thousand five hundred feet from the nearest freeway travel lane, the area of the sign shall be considered so the size of the cabinet is proportional to the height of the sign, but must be approved by the Community Development Director or appointed designee up to a maximum of five hundred square feet. A flag test may be required to warrant signs above three hundred square feet in area.

6. Billboards.

Billboards shall not be allowed in any zoning district.

7. Flags and Flagpoles.

Flags of a permanent nature and flagpoles shall be allowed subject to the following regulations:

- a. Flagpoles.
 - i. For residential districts, flagpoles shall be limited in height to the building height allowed in the respective district. Nothing in this ordinance shall be construed to prevent the display of flags of the military branches, and those honoring military veterans and prisoners of war.
 - ii. For nonresidential districts, flagpoles shall be limited to fifty feet in height, measured from the grade which the flagpole located.
- b. Flags. Flags shall be counted as part of the total sign area allowable for a site. Nothing in this regulation shall prohibit the display of flags of the United States, state, county and/or city, provided no portion of the flag shall interfere with any use within the public right of way. Federal, state, county and city flags shall not be counted as part of the total sign area.

8. Gateway Signs

- a. Pylon Signs: Pylon gateway signs shall be located within five hundred feet of Interstates 15, 40 and Highway 58. Gateway signs shall be a maximum of eighty feet above the nearest freeway travel lane.
- b. Monument Signs: Monument gateway signs shall be located at or near the terminus of a freeway off-ramp, or entry point into the city. Monument gateway signs shall also be used for the entry into the City from State Route 247.

9. Exempt Signs

The following non-illuminated signs and advertising displays shall be allowed in all districts with no permit required, subject to the limitations provided in this Chapter, or as otherwise provided by State law:

- a. Signs within a structure and not visible from outside.

- b. Non-advertising warning signs or trespassing signs on private property posted no closer than one hundred (100) feet apart not exceeding three (3) square feet in area.
- c. Signs, flags, emblems, notices erected, or issued, by a constituted governmental body, public agency, court, person, or officer in performance of a public duty, including traffic or highway signs, railroad crossing signs, or similar regulatory or warning devices, and legal notices.
- d. Utility company signs not exceeding six (6) square feet identifying conduits, cables, danger, or providing other such similar notice.
- e. Non-advertising displays, signs, and decorations commemorating municipal, State or nationally designated holidays; providing, however, that said displays are not detrimental to public health, safety, and general welfare and are not otherwise prohibited by this Chapter.
- f. Property identification in compliance with Section 12.20.060.
- g. One (1) single-faced identification nameplate or sign on an apartment house, boarding or rooming house, or similar use, not exceeding six (6) square feet in area; provided that said sign is attached to or mounted parallel to the face of the building and not exceeding one (1) foot from the wall.
- h. One (1) nameplate or occupational sign denoting the name, occupation, address and telephone number of an occupant in a commercial building or public institutional building, provided that said sign does not exceed two (2) square feet in area and is attached and mounted parallel to the face of the building, not exceeding four (4) inches from the wall.
- i. Civic event signs are allowed on private property in all districts subject to the following:
 - i. Event and other non-commercial signs shall not be displayed more than fifty (50) days prior to an event.
 - ii. Each business or use may display one (1) such sign in its window containing a maximum of four (4) square feet in area.
 - iii. In residential districts, signs shall have maximum area of six (6) square feet, with a maximum height of four (4) feet for free-standing signs, except as specified below.

- iv. In nonresidential districts, and on vacant property in residential districts that are located on major divided, major or secondary roads, as indicated in the General Plan, signs may have a maximum area of twenty-four (24) square feet with a maximum height of eight (8) feet for free-standing signs.
- v. Signs may only be placed or erected upon property with the written permission of the property owner or tenant.
- vi. Signs shall not be located in the Clear Sight Triangle.
- vii. Signs shall be removed within ten (10) days after the scheduled event to which it pertains.
- viii. Each special event sign shall include, in legible 12-point type, the name, address and phone number of the responsible party on the back of the sign.
- j. Signs on a coin operated vending machine, telephone booth, news rack, or other such incidental signs provided all of the following conditions exist:
 - i. Signs identify only the product contained therein, display operating instructions, or show notices required by law.
 - ii. No such signs shall exceed an area of three (3) square feet.
- k. Incidental informational signs provided all of the following conditions exist:
 - i. Signs shall be attached to the building or are within a window;
 - ii. Sign area of any sign shall be reasonable for the type of sign proposed.
 - iii. Signs shall be for the safety of the general population, customers, and/or clients of a land use or event.
- l. Temporary signs posted prior to an election, subject to the regulations in Section 19.06.065(2)(c) of this Chapter.
- m. Protected, non-commercial messages are expressly allowed wherever commercial messages are allowed.
- n. Shingle (projecting/under canopy) signs are allowed subject to the following:

- i. Signs shall be suspended from a canopy or shall project no more than three (3) feet from the building face.
- ii. The sign shall be a minimum of eight (8) feet clear of the walkway or ground directly below the sign.
- iii. The maximum allowed size of a sign is 3.5 square feet.
- iv. The maximum number of allowed signs is one per building entrance.
- o. Signs located on the site of a public school for grades K through 12 that is not regulated by the City of Barstow.
- p. Special Event window signs not exceeding twenty-five percent (25%) of any window area.
- q. All signage located within any public park or public facility, including bus stop shelters.

19.06.067 Nonconforming signs

1. Generally

Every nonconforming sign and sign structure shall be subject to the following regulations:

- a. No increase in area nor enlargement is allowed.
- b. The sign may not be relocated nor altered, unless said moving or alteration reduces the degree of nonconformity. Nothing in this regulation shall prevent customary repair and/or maintenance, so long as such repair and/or maintenance shall not extend its useful life.

If a nonconforming sign or sign structure is abandoned or unused for a continuous period of 90 days or more, the nonconforming status shall terminate, and it shall become illegal. If a nonconforming sign or sign structure advertises a use no longer being conducted on the property for a continuous period of ninety days or more, it shall be subject to the provisions of Section 19.06.060(C)(2).

2. Abatement.

- a. Every nonconforming sign or sign structure shall be removed or made conforming without compensation if all of the following conditions are met:
 - i. The nonconforming sign or sign structure is located in an area that, as of the effective date of this sign ordinance, is either designated for residential or agricultural use on the General Plan or zoning map;
 - ii. The nonconforming sign or sign structure is more than six hundred sixty feet from the edge of the right-of-way of an interstate or highway maintained by the state or federal government, or if placed or maintained more than six hundred sixty feet from said edge of the right-of-way of a state or federally maintained interstate or primary highway, the purpose of its message is to be read from the main traveled way;
 - iii. The nonconforming sign is not required to be removed because the sign is a well maintained and structurally sound vintage sign where the preservation of the sign is desirable for the community; and
 - iv. The nonconforming sign or sign structure is allowed to remain in existence for a period of time set forth in the abatement schedule in subsection (3), and after giving notice of the requirement of removal or alteration.
- b. Every nonconforming sign or sign structure, to which all of the provisions of subsection (a) are not met, may be removed, altered or made conforming only upon payment of compensation as defined in, and commencing with, Section 1230.010 of Part Three of the Code of Civil Procedure (Eminent Domain Law). Commencement of abatement shall be in conformance with Business and Professions Code Section 5491.1.
- c. Value of signs and sign structures shall be determined by the building official in the absence of an original contract price less proof of depreciation. Value shall be fair market as defined by the Business and Professions Code Sections 5412.1 and 5412.2.

3. Abatement Schedule.

Abatement Schedule

Fair Market Value on Date of Notice of Removal (\$): Years Allowed For No Compensation Paid:

Under \$2,000 2

2,000 to 3,999 3

4,000 to 5,999 4

6,000 to 7,999 5

8,000 to 9,999 6

\$10,000 and above 7

Values under this schedule are as of 1/1/1983, and must be adjusted in accordance with the annual changes in building costs as indicated in the U.S. Dept. of Commerce Composite Cost Index for Construction Costs.

19.06.068 Prohibited signs.

The following signs are prohibited by the City:

1. Off-site signs unless allowed in Section 19.06.064(4)(f)
2. Portable signs, such as "A-Frame" or "sandwich board" type sign structures;
3. Signs that create a safety hazard by obstructing clear view of pedestrians and/or vehicular traffic;
4. Roof signs are prohibited except when other signing alternatives are considered impractical or unreasonable by the director. Roof signs may then be allowed if architecturally designed into the roof system. Whenever possible, new buildings shall be designed with integral roof signs to preclude the necessity for roof signs;
5. Pennants and flags except as allowed for special events, promotional events and automobile dealers;
6. Inflatable signs and tethered balloons except as allowed for special events;
7. Animated or revolving signs where the physical structures or extensions of the sign structure are in motion. This does not include reader boards, barber poles or similar signs where motion may be depicted but where the sign structure itself is not in motion;

8. Signs or sign structures which, by color, text, location and/or shape conflict with a traffic control sign or device;
9. Signs that depict specific sexual activities or specified anatomical parts as defined under Chapter 19.24;
10. Vehicle signs, unless the vehicle is used for transporting goods or for services for business purposes; provided, that the sign is affixed so as to not project from the usual profile of the vehicle and not stored/parked in a manner for advertising purposes on private or public property, or within any public right-of-way;
11. Signs in the public right-of-way, except as approved by the City;
12. Signs that make sounds, emit odors, produce smoke or beacons.
13. Signs that contain fighting words or obscene language, or create a clear and present danger to the general public.
14. Billboard signs.

19.06.069 Preservation of vintage signs.

Vintage signs located along the Historic Route 66 corridor shall, whenever possible or feasible, be preserved. When the preservation of a vintage sign is not possible on-site, the property owner or developer shall seek to donate or sell the sign to the Route 66 Museum or other business or collector.