

PowerPoint

- TOPICS TO BE COVERED**
- **REAL ESTATE SIGNS**
 - Private Property
 - Public Right of Way (PROW)
- **ONSITE SIGNAGE (commercial)**
 - Permanent
 - Temporary (window, sale, banners)
- **TEMPORARY SIGNAGE**

REAL ESTATE SIGNS: STATE LAW

California Civil Code Sec. 713

§ 713. Right to display sign advertising property for sale, lease, or exchange

(a) Notwithstanding any provision of any ordinance, an owner of real property or his or her agent may display or have displayed on the owner's real property, and on real property owned by others with their consent, signs which are reasonably located, in plain view of the public, are of reasonable dimensions and design, and do not adversely affect public safety, including traffic safety, as determined by the city, county, or city and county, advertising the following:

- (1)** That the property is for sale, lease, or exchange by the owner or his or her agent.
 - (2)** Directions to the property.
 - (3)** The owner's or agent's name.
 - (4)** The owner's or agent's address and telephone number.
- (b)** Nothing in this section limits any authority which a person or local governmental entity may have to limit or regulate the display or placement of a sign on a private or public right-of-way.

REQUIREMENTS OF SECTION 713

Under Section 713, City required to allow real estate signs:

- Onsite (on site of property for sale or rent)
- Offsite (on property other than property that is for sale or rent), with consent of property owner
- City may enact reasonable time, place, manner restrictions

REAL ESTATE SIGNAGE



OPTIONS FOR REGULATING REAL ESTATE SIGNS

- **OPTION 1:** Rely on Civil Code Sec. 713, with no additional provisions in City Sign Code
- **OPTION 2:** Enact reasonable time, place, manner restrictions as part of City Sign Code.

CAVEAT: Under either option, substitution of noncommercial messages must be allowed.

STAFF RECOMMENDATION: Option 2
(Reasonable time, place, manner restrictions)

**REAL ESTATE SIGNS IN PUBLIC
RIGHT OF WAY (PROW)**

Current Code:

Signs in the PROW are generally prohibited.

REAL ESTATE SIGNAGE IN THE PUBLIC RIGHT OF WAY (PROM)



OPTIONS FOR REAL ESTATE SIGNS IN THE PROW

- **OPTION 1:** Prohibit all real estate signs in the PROW (with reasonable restrictions on placement of signs on parcels)
- **OPTION 2:** Allow real estate signs in the PROW, subject to restrictions
- **STAFF RECOMMENDATION: OPTION 1**
(Prohibit signs in the PROW)

ONSITE SIGNAGE

Definition of Onsite Sign:

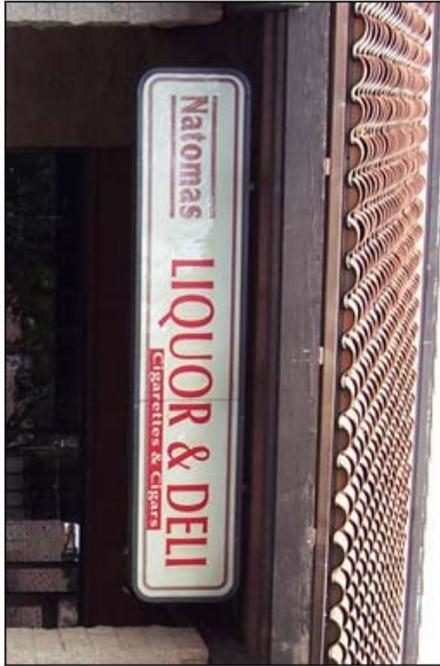
“Onsite sign” means a sign directing attention to a business, commodity, service, or entertainment conducted, sold, or offered upon the same premises as those upon which the sign is maintained.
City Code Sec. 15.148.170.

PERMANENT ONSITE SIGNAGE

Current Code:

Establishes time, place and manner restrictions.

PERMANENT ONSITE SIGNAGE



OPTIONS FOR PERMANENT ONSITE SIGNAGE

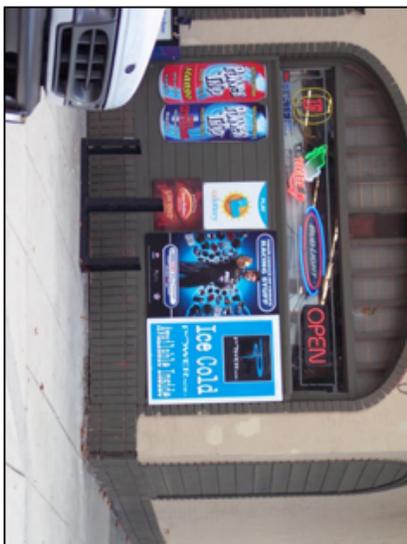
- **OPTION 1:** Maintain the existing time, place and manner restrictions for permanent onsite signage.
- **OPTION 2:** Amend regulations to allow more, less or different types of noncommercial messages. Requiring removal of nonconforming signs permissible, subject to compliance with amortization requirements of state law.
- **OPTION 3:** Address issues pertaining to digital displays, digital conversion, new technology
- **STAFF RECOMMENDATION: OPTION 1**, with direction to address digital displays, conversion new technology at future meeting.

TEMPORARY SIGNAGE

Types, Examples of Temporary Signs:

- Signs pertaining to a special event occurring on a given date or for a period of time
- Signs made of nondurable materials, and temporarily affixed to building or structure (e.g., window signs)
- Moveable signs (A frames, H frames, flags or signs placed in the mow strip or landscaping)

TEMPORARY ONSITE SIGNAGE (commercial)



OPTIONS FOR TEMPORARY ONSITE SIGNAGE (commercial)

- **OPTION 1:** General ban on temporary onsite signs, with provisions for temporary signage of a noncommercial nature (political, issue or viewpoint signage)
- **OPTION 2:** Partial ban on temporary signs, with location-based exceptions (e.g., commercial corridors, Central City, J Street) and exception for non-commercial signage

OPTIONS FOR TEMPORARY SIGNAGE (commercial) *continued*

- **OPTION 3:** Allow temporary onsite signs, subject to time, place and manner restrictions.
- **OPTION 4:** Regulate cumulative amount of signage allowed on a site or for a use or building (total square footage, number of signs, etc.), whether permanent or temporary, and allow owner to decide how to utilize
- **STAFF RECOMMENDATION: OPTION 3.** Allow temporary onsite signs, subject to time, place and manner restrictions.

REGULATING TEMPORARY SIGNAGE (Other than commercial, onsite): Protest, demonstration, election, issue signage

- **GENERAL RULE:** Must allow, subject to reasonable time, place, manner restrictions

OPTIONS:

- **OPTION 1:** No regulations
- **OPTION 2:** Reasonable time, place, manner restrictions (e.g., size, shape, materials) in sign code
- **OPTION 3:** Reasonable time, place, manner restrictions in regulations governing parades, demonstrations

STAFF RECOMMENDATION: OPTION 3