Meeting Date: **2/23/2016**

Report Type: Consent

Report ID: 2016-00118

City of SACRAMENTO 15

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: (Pass for Publication) Ordinance Amending Certain Sections in Chapter 15.148 of the Sacramento City Code and Repealing Ordinance No. 2007-079, Both Relating to Signs (M16-001)

Location: Ciytwide

Recommendation: 1) Review an ordinance amending chapter 15.148 of the Sacramento City Code and repealing uncodified Ordinance No. 2007-079, both relating to signs; and 2) pass for publication the ordinance title as required by Sacramento City Charter section 32(c), with the ordinance to be considered on March 1, 2016.

Contact: Sandra Yope, Senior Planner, (916) 808-7158; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

Presenter: None

Department: Community Development Dept

Division: Current Planning

Dept ID:

Attachments:

1-Description/Analysis

2-Ordinance (Redline)

3-Ordinance (Clean)

City Attorney Review

Approved as to Form
Joseph Cerullo
2/18/2016 11:22:58 AM

Approvals/Acknowledgements

Department Director or Designee: Ryan Devore - 2/17/2016 8:43:40 AM

Description/Analysis

Issue Detail: Many of the provisions in chapter 15.148 (Signs) of the City Code were enacted in the early 1970s (Ordinance No. 2868, adopted in March 1971) and early 1980s (Ordinance Nos. 81-093, 82-043). Since then, there have been a number of developments in federal and state law, both statutory and judicial. The City Attorney's Office has recommended that the City Council amend chapter 15.148 to address these developments and make a few additional non-substantive revisions. Accordingly, the proposed amendatory ordinance—

- deletes or revises provisions that potentially regulate message content;
- adds provisions to require that discretion in the approval of signs be exercised in accordance with definite, objective standards;
- deletes certain obsolete provisions;
- corrects various errors that have cropped up over the years (e.g., erroneous cross references); and
- codifies the substance of Ordinance No. 2007-079, which since 2007 has banned new billboards that are not covered by relocation agreements.

One notable change is the deletion of a section that provided special regulations for off-site subdivision marketing signs. The essence of this section is now covered by the section that allows temporary signs with a sign permit.

Policy Considerations: Sign regulations are used to preserve and improve the appearance of the City as a place in which to live; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; and to promote the public health, safety, and general welfare.

Economic Impacts: None.

Environmental Considerations: Passage of the amendatory ordinance is not a "project" subject to CEQA because (a) it has no potential to cause a significant effect on the environment and (b) it pertains to continuing administrative activities. (14 Cal. Code Regs. §§ 15061(b)(3), 15378(b)(2).)

Sustainability: There are no sustainability considerations with this report.

Commission/Committee Action: The City Manager has determined that the proposed amendments should be immediately considered by the City Council.

Rationale for Recommendation: Chapter 15.148 does not reflect recent developments in the law. The proposed ordinance cures that deficiency.

Financial Considerations: None.

Local Business Enterprise (LBE): Not applicable.

ORDINANCE NO. 2016-XXX

Adopted by the Sacramento City Council
February __, 2016

AN ORDINANCE AMENDING CERTAIN SECTIONS IN CHAPTER 15.148 OF THE SACRAMENTO CITY CODE RELATING TO SIGNS AND REPEALING ORDINANCE NO. 2007-079

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 15.148.060 of the Sacramento City Code is amended to read as follows:

15.148.060 Issuance of sign permits.

A. Within thirty (30) days after submission of an application for a sign permit, the chief building official shall do one of the following:

1. If the chief building official determines that the proposed sign complies with all applicable laws and regulations, then the chief building official shall issue the permit.

2. If the chief building official determines that the application is incomplete or that the proposed sign does not comply with all applicable laws and regulations, then the chief building official shall issue a notice to the applicant that identifies the deficiencies. Within thirty (30) days after receiving the notice, the applicant may correct the deficiencies and resubmit the application without paying any additional fees, and the chief building official shall process the resubmission in the same way that new applications are processed. Only one resubmission is allowed. If the chief building official determines that a resubmitted application is still incomplete or that the proposed sign still does not comply with all applicable laws and regulations, then the application will be deemed denied.

B. An application will be deemed denied if the chief building official does not act on it as required by ~~paragraph 1 or 2 of this~~ subsection A.1 or A.2 within thirty (30) days after the application is submitted or resubmitted unless the applicant has waived the thirty (30) day requirement.

C. Every sign permit issued by the chief building official will expire if the work authorized by the permit is not commenced within sixty (60) days after the issuance date of the permit or if the work is suspended or abandoned for one hundred twenty (120) consecutive days or more after the work is commenced. Before the work may be commenced or resumed after

expiration, a new permit must first be obtained, and the fee therefor will be one-half the amount required for a new permit for the work, except as follows: if changes have been made or will be made in the original plans and specifications for the work, or if the suspension or abandonment exceeds one year, then the fee will be the same as the fee for a new permit.

D. The chief building official may, in writing, suspend or revoke a sign permit whenever the permit is issued on the basis of a material omission or misstatement of fact or in violation of this chapter or any ordinance.

E. When deciding whether to issue, deny, suspend, or revoke a permit, the chief building official shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

SECTION 2.

Section 15.148.080 of the Sacramento City Code is amended to read as follows:

15.148.080 Fees.

Permits shall be subject to such fees as are specified by resolution of the city council relating to the building and electrical codes of the city, provided, however, that the minimum fee for a permit exclusive of any permit costs for electrical components, shall be as established by resolution of the city council. In addition, when any sign is hereafter erected, placed, installed or otherwise established on any property prior to obtaining permits as required by this ~~article~~ chapter the fees therefor shall be doubled, but the payment of such double fee shall not relieve any person from complying with other provisions of this ~~article~~ chapter or from penalties prescribed herein.

SECTION 3.

Section 15.148.100 of the Sacramento City Code is amended to read as follows:

15.148.100 Regulations established.

The regulations in this article are adopted governing the number, size, type, location, ~~subject matter~~ and other provisions relating to signs within the various zones of the city as the zones are established and designated by the Planning and Development Code. No signs shall be allowed in these zones unless ~~exempt under this article or expressly permitted by this article, or~~ allowed by this chapter or unless such signs comply with the regulations established in Article IX of this chapter relating to legal nonconforming uses.

SECTION 4.

Section 15.148.110 of the Sacramento City Code is amended to read as follows:

15.148.110 Residential zones.

Within any R residential zone, signs ~~or nameplates~~ are ~~permitted~~ allowed as follows:

A. For each single-family home or duplex, one ~~nameplate~~ sign not exceeding a combined area of one square foot for each occupancy. Such ~~nameplate~~ a sign shall not be subject to the permit requirements of this ~~article~~ chapter.

B. For rooming and boarding houses, one ~~nonilluminated~~ unilluminated, attached ~~identification~~ sign, for each street frontage, not exceeding twelve (12) square feet in area.

C. For ~~churches~~ a meeting place at which the public or membership groups are assembled regularly or occasionally, including churches or faith congregations, auditoriums, stadiums, and similar places of assembly, one ~~identification~~ sign, which may be attached or detached, not exceeding twenty-four (24) square feet in area for each street frontage~~. In addition, churches may have one bulletin board~~, plus one additional attached sign not exceeding eight square feet in area. The square footage totals shall not be combined into one sign. A detached ~~church identification~~ sign shall be a monument type sign, which may be placed in the landscaped setback area but must be located farther than 10 feet from the public right-of-way. The height of the monument sign shall not exceed six feet. ~~The church identification sign may be placed in the landscaped setback area, however, it must be located farther than ten (10) feet from the public right-of-way.~~

D. For multi-family uses, one sign not exceeding twelve (12) square feet in area per each street frontage. Signs may be attached or detached, however, detached signs must meet the following requirements:

1. For multi-family uses, one ~~project identification~~ detached sign is ~~permitted~~ allowed at each major entrance into the development. No more than one ~~project identification~~ detached sign is ~~permitted~~ allowed per street frontage. For corner lots, a ~~project identification~~ detached sign may be substituted ~~from~~ for a street frontage and placed within the landscaped setback area at the street corner. Placement of said corner ~~project identification~~ detached sign shall adhere to the visibility requirements for corner lots in the Planning and Development Code.

2. A ~~project identification~~ detached sign shall be a monument type sign or incorporated into a low profile decorative entry wall(s).

3. The height of the monument sign shall not exceed six feet.

4. The ~~project identification~~ detached sign(s) may be placed in the landscape setback area; however, it must be located farther than ten (10) feet from the public right-of-way.

5. The primary material of the monument base or wall shall be decorative masonry such as brick, split face concrete block, stucco, or similar material which compliments the design of the main building(s).

6. ~~Individual or script letter type and project logo are examples of acceptable sign design.~~ Backlit canned plastic signs are not ~~permitted~~ allowed.

7. If the ~~project identification~~ detached sign is placed on a free-standing monument base, a double-faced sign is ~~permitted~~ allowed. If the ~~project identification~~ detached sign is affixed flat against an entry wall, one single-faced sign on each side of the driveway is ~~permitted~~ allowed.

~~8. The maximum area of sign devoted to sign letters (excluding logo) shall be twelve (12) square feet per sign.~~

E. For all other nonresidential uses, ~~one identification sign and one bulletin board~~ two signs are allowed for each street frontage not exceeding a total of sixteen (16) square feet in area. Attached signs shall be placed flat against a building or designed as part of an architectural feature thereof. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with. Any detached sign shall be a monument type sign. The height of the monument sign shall not exceed six feet. The detached sign may be placed in the landscaped setback area; ~~how-ever~~ however, it must be located farther than ten (10) feet from the public right-of-way.

F. All illuminated signs in the residential zones, including bulletin boards, shall be indirectly illuminated. Directly illuminated signs are ~~allowed subject to approval of~~ prohibited unless authorized by a zoning administrator's conditional use permit issued in accordance with article XIV of this chapter.

SECTION 5.

Section 15.148.120 of the Sacramento City Code is amended to read as follows:

15.148.120 A agricultural zone.

Within an A agricultural zone, signs are ~~permitted~~ allowed on each parcel as follows:

A. One ~~identification~~ sign for each developed parcel not exceeding thirty-two (32) square feet in area~~ indicating the name of the owner and/or property and products produced on the premises~~.

~~B. Any other sign is permitted only with the prior approval of the planning and design commission.~~

B~~C~~. All signs shall conform to building setback requirements specified by the Planning and Development Code.

C~~D~~. No detached sign shall exceed a height of thirty-five (35) feet. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this ~~article~~ chapter are complied with.

SECTION 6.

Section 15.148.125 of the Sacramento City Code is amended to read as follows:

15.148.125 RMX residential mixed-use zone.

A. In the RMX zone, residential uses shall be allowed signs ~~and name plates~~ as provided in Section 15.148.110 Residential Zones.

B. In the RMX zone, commercial uses shall be allowed signs as provided in Section 15.148.150 C-1 Limited Commercial Zone.

SECTION 7.

Section 15.148.130 of the Sacramento City Code is amended to read as follows:

15.148.130 OB office building, R-O residential office and H hospital zones.

Within the OB office building and H hospital zones and when office uses are developed in the R-O residential office zone, signs are ~~permitted~~ allowed as follows:

A. ~~One identification sign and one bulletin board per~~ Two signs for each street frontage not exceeding a total of sixteen (16) square feet in area for all displays. Signs may be attached or detached.

B. All signs shall be placed flat against a building or designed as part of an architectural feature thereof. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this ~~article~~ chapter are complied with.

C. All detached signs shall be monument type signs. The height of the monument sign shall not exceed six feet. All detached signs shall be located at least ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area.

D. ~~A~~ The planning and design commission may grant a conditional use permit in accordance with article XIV of this chapter ~~may be granted~~ to permit signage in excess of that allowed by this section for facilities which regularly provide emergency medical care.

SECTION 8.

Section 15.148.140 of the Sacramento City Code is amended to read as follows:

15.148.140 SC shopping center and HC highway commercial zones.

Within the SC shopping center and HC highway commercial zones, signs are ~~permitted~~ allowed as follows:

A. One detached sign ~~indicating only the name and nature of the occupancy~~ for each developed parcel not exceeding one square foot of sign area for each lineal foot of street frontage abutting the developed portion of such parcel, provided that:

1. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.

2. Where a developed parcel is ~~permitted~~ allowed to have more than one detached sign under these regulations, the distance between ~~said~~ the detached signs on each parcel shall be not less than three hundred feet.

3. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.

B. Two attached signs ~~indicating only the name and nature of the occupancy,~~ for each occupancy within the developed parcel. Such signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. Such signs shall be placed flat against the building, on an architectural projection, or attached to the underside of an architectural projection subject to the provisions of Sections 15.148.460 and 15.148.470.

C. No detached sign shall exceed a height of thirty-five (35) feet. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this ~~article~~ chapter are complied with.

D. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel. A sign may be located within or project into a required front or street sideyard setback area; however, no sign may project into or over an abutting public right-of-way except as otherwise provided for in this ~~article~~ chapter.

SECTION 9.

Section 15.148.150 of the Sacramento City Code is amended to read as follows:

15.148.150 C-1 limited commercial zone.

Within the C-1 limited commercial zone, signs are ~~permitted~~ allowed as follows:

A. ~~For each occupancy, o~~One attached sign for each occupancy ~~indicating only the name and nature of the occupancy~~. The total area for all such signs shall not exceed one square foot of sign area for each front foot of building occupancy. Such signs shall be placed flat against the building, on an architectural projection, or attached to the underside thereof, subject to the provisions of Sections 15.148.460 and 15.148.470 of this chapter. No height limit is specified for signs placed flat against the wall of a building, or for other attached signs provided all other provisions of this ~~article~~ chapter are complied with.

B. One detached sign for each street frontage not exceeding twenty-four (24) square feet in area. All detached signs shall be monument type signs. All detached signs shall be located ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area. The height of the monument sign shall not exceed six feet.

SECTION 10.

Section 15.148.160 of the Sacramento City Code is amended to read as follows:

15.148.160 C-2 and C-4 commercial, M-1 and M-2 industrial zones.

Within the C-2 and C-4 (commercial), M-1 and M-2 (industrial) zones, ~~on-site signs and off-site~~ signs are subject to the following regulations:

A. On-Site Signs.

1. One detached sign for each developed parcel not exceeding one square foot of sign area for each lineal foot of street frontage abutting the developed portion of such parcel, provided that:

   a. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.

   b. Where a developed parcel is ~~permitted~~ allowed to have more than one detached sign under these regulations, the distance between such detached signs on each parcel shall be not less than three hundred (300) feet.

   c. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.

2. Two attached signs are ~~permitted~~ allowed for each occupancy. Such signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. Such signs may be placed flat against a building, may be projected or nonprojected signs and may be located on an architectural projection or attached to the underside of an architectural projection subject to the provisions of Sections 15.148.460 and 15.148.470 of this chapter.

3. The maximum height limit for detached signs shall be as follows:

   a. In C-2 and C-4 zones: thirty-five (35) feet;

   b. In M-1 and M-2 zones: forty (40) feet.

   No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this ~~article~~ chapter are complied with.

B. Off-Site Signs. Except as otherwise prohibited by this ~~article~~ chapter, off-site signs are ~~permitted~~ allowed in the C-2, C-4, M-1, and M-2 zones as follows:

1. All off-site signs shall be detached signs.

2. No off-site sign shall be located nearer than five hundred (500) feet to any other off-site sign on the same side of the street as such off-site sign. When an off-site sign is located on one street but is oriented to be viewed primarily from another street, no such sign shall be located nearer than five hundred (500) feet to any other off-site sign on the same side of the street on which it is located or any other off-site sign located on the nearest side of the street to which said sign is oriented.

3. An off-site sign shall not exceed three hundred (300) square feet in area.

4. The maximum height limit for an off-site sign shall be thirty (30) feet in the C-2 zone and thirty-five (35) feet in the C-4, M-1 and M-2 zones.

5. No off-site sign shall be located in the area bounded by Interstate 5 to the west, 17th Street to the east, H Street to the north, and Q Street to the south.

~~6. After October 29, 1981 no person shall erect an off-site sign in the C-2 zone unless the planning director has issued a C-2 off-site sign replacement permit for such sign. The planning director shall issue a C-2 off-site sign replacement permit only if (a) the total number of existing "replaceable" off-site signs located in the C-2 zone is less than the total number of "replaceable" signs listed in the final C-2 off-site sign roster, and (b) the owner of the proposed sign does not own or possess any other form of property interest in an existing "nonreplaceable" off-site sign located anywhere in the city. The C-2 off-site sign final roster shall be prepared as follows:~~

~~a. The owner, or designee, of every off-site sign located in the C-2 zone on October 29, 1981 shall submit to the planning director on or before December 28, 1981 a written description of the location, date of original erection, date of any structural alteration, date of any relocation, and, if available, a copy of the city sign permit or building permit issued for each such sign.~~

~~b. On or before April 19, 1982, the planning director shall prepare a tentative roster, listing each off-site sign located in the C-2 zone on October 29, 1981 and sign located in the C-2 zone on October 29, 1981 and designating each sign as either "replaceable" or "nonreplaceable."For roster classification purposes only, an off-site sign shall be designated:~~

~~i. "Replaceable" if it was erected in conformance with the provisions of this article in effect on the date of erection and, if the sign was subsequently altered or relocated, such alteration or relocation conformed with the provisions of this article then in effect.~~

~~ii. "Nonreplaceable" if: (A) it was erected, altered or relocated without issuance of a permit or permits as required by Section 15.148.030 of this chapter, or in violation of the terms of said permit or permits; or (B) it existed in 1970, was rendered nonconforming by the enactment of Ordinance No. 2868, and the amortization period specified in Section 15.148.790(A) of this chapter has passed.~~

~~c. The planning director shall mail the tentative roster to all persons who submitted information regarding an off-site sign, pursuant to subsection (B)(6)(c) of this section, and all other persons who have requested a roster. Notice of the availability of the tentative roster shall be published at least once in a newspaper of citywide circulation.~~

~~d. Any person who has received actual notice of the tentative roster shall notify in writing the planning director on or before May 17, 1982 if he or she believes the tentative roster is incorrect or incomplete, On or before July 12, 1982, the planning director shall prepare a final roster.~~

C. General Provisions Relating to Location. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel.

With the exception of off-site signs, a sign may be located within or project into a required front or street sideyard setback area. However, no sign may project into or over an abutting public right-of-way except as otherwise provided in this ~~article~~ chapter. Off-site signs shall be located so as to provide and maintain the same front and street sideyard setbacks as are required for a building on the same parcel.

SECTION 11.

Section 15.148.170 of the Sacramento City Code is amended to read as follows:

15.148.170 M-1 (S) and M-2 (S) industrial park zones.

Within the M-1 (S) and M-2 (S) industrial park zones, on-site signs ~~advertising the business or products of the occupant~~ are ~~permitted~~ allowed as follows:

A. One detached sign for each street frontage. Detached signs shall be a monument measured from the sidewalk or parking lot, whichever is lower. Sign shall not exceed forty-eight (48) square feet in area.

B. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached monument type sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of said parcel. Where a developed parcel is ~~permitted~~ allowed to have more than one detached monument type sign under these regulations, the distance between ~~said~~ the detached signs on each parcel shall be not less than three hundred (300) feet.

C. Two attached signs for each occupancy. ~~Said~~ The signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with.

D. Monument signs may be placed within required front, sideyard, or rear yard setback area. However, a monument sign shall be located at least ten (10) feet from any property line and at least five feet from any driveway in order to provide a clear vision area.

SECTION 12.

Section 15.148.180 of the Sacramento City Code is amended to read as follows:

15.148.180 F flood zone.

Within the F flood zone, no sign shall be ~~permitted~~ allowed unless a ~~prior approval~~ conditional use permit therefor has been granted by the planning and design commission in accordance with article XIV of this chapter.

SECTION 13.

Section 15.148.190 of the Sacramento City Code is amended to read as follows:

15.148.190 CBD-SPD and arts and entertainment district boundary.

Within the CBD-SPD (C-3 zone) and the arts and entertainment district boundary, the following sign regulations shall apply:

A. General Requirements.

1. A sign program shall be submitted with an individual project application to the planning director. The sign program shall address:

   a. Proposed location of signage;

   b. Dimensions of signage area;

   c. Materials and design guidelines ~~including colors, letter types and sizes, use of logos/graphics,~~ for sign support, structure, and illumination method.

~~2. The content of exterior signage shall be limited to tenant's trade name and/or logo. In no case shall the wording of sign describe the products sold, prices, advertising slogans, except as part of the occupant's trade name or logo.~~

2~~3~~. No signs shall be ~~permitted~~ allowed above the building base or street-wall as defined in Section 4.0 of the architectural design guidelines. ~~Corporate logos/graphics~~ Signs for the main building tenant ~~is~~ are ~~permitted~~ allowed to be located above building base/street-wall subject to provisions of subsections ~~(E)(6)~~ E.6 and ~~(7)~~ E.7 of this section.

3~~4~~. No off-street signage shall be allowed~~, unless specifically approved by the planning director~~.

B. Design Requirements.

1. The location of signs shall be only as shown on the approved plans by the planning director.

2. All electrical signs shall bear the UL label and their installation must comply with all local building and electrical codes.

3. No exposed conduit or raceways will be ~~permitted~~ allowed.

4. All conductors, transformers, and other related equipment shall be concealed.

5. All sign fastenings, bolts, and clips shall be galvanized iron, stainless steel, aluminum, brass, or bronze, or black iron of any type will be ~~permitted~~ allowed.

6. All exterior letters on signs exposed to the weather shall be mounted at least three-fourths inch from the building surface to permit dirt and water drainage.

7. Location of all openings for conduit and sleeves in sign panels of building shall be indicated on drawings.

~~8. No signmaker's labels or other identification will be permitted on the exposed surface of signs, except those required by ordinance, which shall be located in an inconspicuous location.~~

8~~9~~. Installation of all signage shall be in accordance with the ~~approved~~ drawings approved by the planning director. When deciding whether to approve the drawings, the director (a) shall consider all of the factors relating to the proposed signage and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the signage; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

C. Types of signage:

1. Flat mounted wall signs;

2. Individual ~~letters~~-letter signs (e.g., channel letters or flat cut-out letters);

3. Wall plaques;

~~4. Logos;~~

4~~5~~. Objects;

5~~6~~. Window/awning ~~graphics~~ signage;

6~~7~~. Projecting signs.

D. ~~Quality~~ Type of Materials. ~~High-quality materials and finishes are required, and signage~~ Signage material must be weather-proof.

E. Location and Size.

1. Attached Signs.

a. Maximum number of flat/projecting signs: two per occupant.

b. Maximum area of flat sign: three square feet per front foot of building occupancy, not to exceed forty-five (45) square feet.

c. Maximum height of flat sign: three feet.

2. Projecting sign (no more than one per occupant).

a. Maximum area on side: twenty (20) square feet.

b. Maximum height of sign: ten (10) feet.

c. Maximum distance from building face to outer edge of sign: four feet.

d. Minimum height from sidewalk to bottom of sign: eight feet.

3. Suspended Signs.

a. Maximum number of suspended signs: one per occupant.

b. Maximum area each face: nine square feet.

c. Maximum height: one foot and six inches.

d. Minimum height from sidewalk to bottom of sign: eight feet.

4. Awning/Canopy Signage. Signage on any awning or canopy may not exceed 25% of surface area and must comply with all other applicable provisions of this article. The maximum height of the signage is 12 inches.

~~a. Maximum height of letters: twelve (12) inches.~~

~~b. Logos/graphics: an identification emblem, insignia, logo, graphic or other similar feature not exceeding twenty-five (25) percent of surface area may be painted, placed, or installed on any awning or canopy provided that such feature comply with all other appropriate provisions of this article.~~

5. Banners.

a. Total maximum area per banner: forty (40) square feet.

b. Maximum number of banners: ~~subject to planning director approval~~ one for each building face.

c. Banners in alleys: a banner which projects above a public alley shall be located not less than ten (10) feet above the alley grade, projecting pole mount must be no less than fourteen (14) feet

above alley grade, and banner shall not project more than two feet from the building face.

6. Special Signage. Notwithstanding section 15.148.640, the following special signs are allowed if authorized by a zoning administrator's conditional use permit issued in accordance with article XIV of this chapter: signs with exposed neon tubing, signs with flashing lights, signs with traveling lights on theater marquees or nightclubs, and functionally similar signs (excluding signs with digital-display technology).

   ~~a. Subject to the review and approval of the planning director, retail businesses and facilities that are entertainment or culturally oriented and contribute to the active night-life of the CBD-SPD and the arts and entertainment district may be allowed creative signage which does not conform to the requirements of the SPD sign ordinance.~~

   ~~b. Examples of special signs include but are not limited to the following: exposed neon tubing, flashing, or traveling lights on theater marquees or nightclubs, etc.~~

7. Office Towers—Attached Signs. Signage on office buildings above the street-wall or building base as defined in Section 4.0 of the architectural design guidelines is allowed subject to the following provisions:

   a. ~~Logo or Graphic Symbol~~ Design. ~~The only signage permitted above the street-wall of a building (i.e., building tops) are corporate logos or graphic symbols. No word signs are permitted. The graphic symbol~~ Signage must be integral in design to the architectural style of the building. ~~The specific sign program shall be developed by a professional graphic artist or designer with demonstrated ability in sign design.~~

   b. Number. Two signs per building, each with the same display ~~of the same logo/symbol~~. No more than one sign per building face.

   c. Materials, construction and design signs may be constructed of solid metal, marble, granite, ceramic tile or other comparable materials. ~~, which convey a rich quality, complimentary to the material of the building exterior. Example~~ Examples of acceptable metal materials are chrome, brass, stainless steel or fabricated and painted sheet metal. Plastic or wood signs are specifically prohibited.

   d. Illumination. ~~Symbols/logos~~ Signs may be ~~non-~~unilluminated or internally illuminated to create a halo backlighted effect. Internally illuminated ~~symbols/logos~~ signs shall be lighted with ~~white~~ neon

tubing~~ and thirty (30) milliamperes transformers~~ or light-emitting diodes (LEDs). Lighting shall not produce a glare on other properties in the vicinity, and the source of the light shall not be visible from adjacent property or a public street. Internally lit plastic signs are prohibited.

e. Location. Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located. A sign may be located in the "upper signage area." "Upper signage area" is defined as the area bounded by (1) the top of the windows of the tallest floor of the building; (2) the building parapet line; and (3) the two vertical edges of the building face on which the sign is attached. A sign may be located outside the "upper signage area" if in a sign zone approved as part of the building design approval, or in a location approved by the planning director. When deciding whether to approve a sign location, the director shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

f. Maximum Sign Area. A sign located in the "upper signage area" shall not exceed ten (10) percent of that area. The length of the sign shall not exceed twenty-five (25) percent of the length of linear building face on which the sign is affixed. In a scale consistent with the two preceding paragraphs, the planning director shall determine the maximum size of the following types of signs:

   i. Signs located other than as specified above;

   ii. Signs located on buildings with a unique or unusual architectural design.

g. If not specifically approved as part of the design approval for the building, the following types of signs shall require a zoning administrator's conditional use permit ~~pursuant to chapter 17.808~~ issued in accordance with article XIV of this chapter:

   i. Signs not located in the "upper signage area," as defined in subsection ~~(E)(7)(e)~~ E.7.e of this section.

   ii. Signs which use construction materials other than marble, granite, ceramic tile or individual solid metal letters pursuant to subsection ~~(E)(7)(c)~~ E.7.c of this section.

Except as provided in subsection ~~(E)(7)(g)~~ E.7.g of this section, attached signs consistent with this section shall be subject to

~~administerial permit~~ issuance ~~procedure~~ of a permit under article II of this chapter.

~~8. Sidewalk Clocks. A sidewalk clock consistent with the architectural design of a building, storefront or streetscape theme is permitted subject to the review and approval of the planning director.~~

SECTION 14.

Section 15.148.193 of the Sacramento City Code is amended to read as follows:

15.148.193 Sacramento railyards SPD.

The following sign regulations shall apply in the railyards SPD.

A. General Requirements.

1. A sign program shall be submitted with each individual project application for a planning director urban development permit. The sign program shall address:

   a. Proposed location of signage;

   b. Dimensions of signage area;

   c. Materials and design guidelines ~~including colors, letter types and sizes, use of logos/graphics,~~ for sign support, structure, and illumination method.

B. Design Requirements.

1. Sign design shall conform to the railyards design guidelines.

2. The location of signs shall be only as shown on the ~~approved~~ plans approved by the planning director.

3. All electrical signs shall bear the UL label and their installation must comply with all local building and electrical codes.

4. Installation of all signage shall be in accordance with the ~~approved~~ drawings approved by the planning director. When deciding whether to approve the drawings, the director (a) shall consider all of the factors relating to the proposed signage and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the signage; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

C. Types of Signage.

1. Flat mounted wall signs;

2. Individual ~~letters~~-letter signs (e.g., channel letters or flat cut-out letters);

3. Wall plaques;

~~4. Logos;~~

4~~5~~. Objects;

5~~6~~. Window/awning ~~graphics~~ signage;

6~~7~~. Projecting signs.

D. ~~Quality~~ Type of Materials. ~~High-quality materials and finishes are required, and signage~~ Signage material must be weather-proof.

E. Location and Size.

1. Attached Signs.

a. Maximum number of flat/projecting signs: two per occupant, or one per building face plus one for each occupancy;

b. Maximum area of flat sign: fifteen (15) square feet per one thousand (1,000) square feet of gross leasable area for the first three thousand (3,000) square feet, with an additional allowance of ten (10) square feet per one thousand (1,000) square feet of gross leasable area thereafter, not to exceed a total of one hundred (100) square feet;

c. Maximum height of flat sign: three feet.

2. Projecting Sign (No More Than One Per Occupant).

a. Maximum area one side: twenty (20) square feet;

b. Maximum height of sign: ten (10) feet;

c. Maximum distance from building face to outer edge of sign: four feet;

d. Minimum height from sidewalk to bottom of sign: eight feet.

3. Suspended Signs.

a. Maximum number of suspended signs: one per occupant;

b. Maximum area each face: nine square feet;

c. Maximum height: one foot, six inches;

d. Minimum height from sidewalk to bottom of sign: eight feet.

4. Awning/Canopy Signage. Signage on any awning or canopy may not exceed 25% of surface area and must comply with all other applicable provisions of this article. The maximum height of the signage is 12 inches.

~~a. Maximum height of letters: twelve (12) inches.~~

~~b. Logos/graphics: an emblem, insignia, logo, graphic or other similar feature or copy not exceeding twenty-five (25) percent of surface area may be painted, placed, or installed on any awning or canopy provided that such feature complies with all other applicable provisions of this division.~~

5. Banners.

a. Total maximum area per banner: forty (40) square feet;

b. Maximum number of banners: ~~subject to planning director approval;~~ one for each building face.

c. Banners in Alleys. A banner which projects above a public alley shall be located not less than ten (10) feet above the alley grade, projecting pole mount must be no less than fourteen (14) feet above alley grade, and banner shall not project more than two feet from the building face.

6. Special Signage. Notwithstanding section 15.148.640, the following special signs are allowed if authorized by a zoning administrator's conditional use permit issued in accordance with article XIV of this chapter: signs with exposed neon tubing, signs with flashing lights, signs with traveling lights on theater marquees or nightclubs, and functionally similar signs (excluding signs with digital-display technology).

~~a. Subject to the review and approval of the planning director, retail businesses and facilities that are entertainment or culturally oriented and contribute to the active nightlife of the railyards SPD area may be allowed creative signage which does not conform to the requirements of this chapter.~~

~~b. Examples of special signs include but are not limited to the following: exposed neon tubing, flashing, or traveling lights on theater marquees or nightclubs, etc.~~

7. Office Towers—Attached Signs. Signage on office buildings above the street-wall or building base is allowed subject to the following provisions:

   a. Design. The signage must be integral in design to the architectural style of the building. ~~The specific sign program shall be developed by a professional graphic artist or designer with demonstrated ability in sign design.~~

   b. Number. No more than one sign per building face.

   c. Materials, Construction and Design. Signs may be constructed of solid metal, marble, granite, ceramic tile or other comparable materials ~~which convey a rich quality, complimentary to the material of the building exterior~~. Examples of acceptable metal materials are chrome, brass, stainless steel or fabricated and painted sheet metal. Plastic or wood signs are specifically prohibited.

   d. Illumination. Signs may be ~~no~~ unilluminated or internally illuminated to create a halo back-lighted effect. Internally illuminated signs shall be lighted with ~~white~~ neon tubing ~~and thirty (30) milliamperes transformers~~ or light-emitting diodes (LEDs). Lighting shall not produce a glare on other properties in the vicinity, and the source of light shall not be visible from adjacent property or a public street. Internally lit plastic signs are prohibited.

   e. Location. Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located. A sign may be located in the "upper signage area." "Upper signage area" shall be defined as the area bounded by (1) the top of the windows of the tallest floor of the building; (2) the building parapet line; and (3) the two vertical edges of the building face on which the sign is attached. A sign may be located outside the "upper signage area" if in a sign zone approved as part of the building design approval, or in a location approved by the planning director. When deciding whether to approve a location, the director (a) shall consider all of the factors relating to the proposed sign and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the sign; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

f. Maximum Sign Area. A sign located in the "upper signage area" shall not exceed ten (10) percent of that area. The length of sign shall not exceed twenty-five (25) percent of the length of linear building face on which the sign is affixed. The planning director shall determine the maximum size of the following types of signs:

i. Signs located other than as specified above;

ii. Signs located on buildings with a unique or unusual architectural design.

g. If not specifically approved as part of the design approval for the building, the following types of signs shall require a zoning administrator's conditional use permit ~~pursuant to chapter 17.808~~ in accordance with article XIV of this chapter:

i Signs not located in the "upper signage area," as defined in subsection ~~(E)(7)(e)~~ E.7.e of this section.

ii Signs which use construction materials other than marble, granite, ceramic tile or individual solid metal letters pursuant to subsection ~~(E)(7)(c)~~ E.7.c of this section.

~~F. Sidewalk Clocks/Thermometer. A sidewalk clock or thermometer consistent with the architectural design of a building, storefront or streetscape theme is permitted subject to the review and approval of the planning director. If the sidewalk clock is to be located in the public right-of-way or on public property, a revocable permit shall be required.~~

SECTION 15.

Section 15.148.195 of the Sacramento City Code is amended to read as follows:

15.148.195 TO transit overlay zone.

A. RMX-TO Zone.

1. In the RMX-TO zone, residential uses shall be allowed signs ~~and name plates~~ as provided in Section 15.148.110.

2. In the RMX-TO zone, commercial uses shall be allowed signs as follows:

a. One detached sign not exceeding twenty-four (24) square feet in area is ~~permitted~~ allowed for each street frontage of a developed parcel. All detached signs shall be monument type signs. All detached signs shall be located ten (10) feet from any property

line and five feet from any driveway in order to provide a clear vision area. The height of the detached sign shall not exceed six feet.

b. One attached sign is ~~permitted~~ allowed for each occupancy. The total aggregate area for all attached signs authorized by this subsection shall not exceed one square foot of sign area for each front foot of building occupancy. The linear footage of an attached sign shall not exceed seventy (70) percent of the linear footage of the occupancy. Attached signs shall be placed flat against the building, on an architectural projection, or attached to the underside thereof, subject to the provisions of Sections 15.148.460 and15.148.470. No height limit is specified for signs placed flat against the wall of a building, or for other attached signs provided all other requirements of this article are met.

c. One additional attached sign that is either projecting or on an architectural projection is ~~permitted~~ allowed for each occupancy. Projecting signs authorized by this subsection shall not exceed a total area of five square feet and shall be located not less than eight nor more than twelve (12) feet above the public right-of-way. Signs on architectural projections authorized by this subsection shall be placed entirely below the architectural projection. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs and signs on architectural projections shall apply to signs authorized by this subsection.

d. In addition to the signage allowed under subsections ~~(A)(2)(b)~~ A.2.b and ~~(c)~~ A.2.c of this section, if a commercial use in the RMX-TO zone is located in a building that is sited at the edge of sidewalk with the on-site parking located to the rear of the building and that maintains general public access to the commercial use from both the sidewalk side of the building and the on-site parking side of the building, then the sign allowance for attached signs for the commercial use shall be applied separately and cumulatively to both the sidewalk face of the building and the rear face of the building facing the on-site parking area.

B. C-2-TO Zone. In the C-2-TO zone, signs shall be allowed as follows:

1. On-site Signs.

a. One detached sign is ~~permitted~~ allowed for each developed parcel not exceeding one square foot of sign area for each lineal foot of

street frontage abutting the developed portion of such parcel, provided that:

i. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.

ii. Where a developed parcel is ~~permitted~~ allowed to have more than one detached sign under these regulations, the distance between such detached signs on each parcel shall be not less than three hundred (300) feet.

iii. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.

b. The maximum height limit for detached signs shall be thirty-five (35) feet.

c. Except as provided in subsection ~~(B)(1)(d)~~ B.1.d of this section, two attached signs are ~~permitted~~ allowed for each occupancy. Attached signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. Attached signs may be placed flat against a building, may be projecting or non-projecting signs, and may be located on an architectural projection or attached to the underside of an architectural projection. Any attached sign that projects over a public right-of-way shall not exceed a total area of five square feet and shall be no less than eight feet and no more than twelve (12) feet above the public right-of-way. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs shall apply to projecting signs in the C-2-TO zone.

d. In lieu of the requirements of subsection ~~(B)(1)(c)~~ B.1.c of this section, a building that is sited at the edge of sidewalk with its on-site parking located to the rear of the building and that maintains general public access to the commercial use from both the sidewalk side of the building and the on-site parking side of the building is ~~permitted~~ allowed the following signs on the sidewalk side of the building and the on-site parking side of the building:

i. One attached sign is ~~permitted~~ allowed for each occupancy. The signs may be placed flat against a building, may be projecting or non-projecting signs, and may be located on an architectural projection or attached to the underside of an architectural projection. An attached sign that projects over a public right-of-way shall not exceed a total area of five square feet and shall be no less than eight feet and no more than twelve (12) feet above the public right-of-way. Except as specifically provided otherwise in subsection ~~(B)(1)(b)~~ B.1.b of this section, all of the provisions of this chapter relating to projecting signs shall apply to projecting signs in the C-2-TO zone.

ii. One additional attached sign that is either a projecting sign or a sign on an architectural projection is ~~permitted~~ allowed for each occupancy. Projecting signs authorized by this subsection shall not exceed a total area of five square feet and shall be located not less than eight nor more than twelve (12) feet above the public right-of-way. Signs on architectural projections authorized by this subsection shall be placed entirely below the architectural projection. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs and signs on architectural projections shall apply to signs authorized by this subsection.

iii. The total aggregate area of the signs ~~permitted~~ allowed for each occupancy under subsections ~~(B)(1)(d)(i)~~ B.1.d.i and ~~(ii)~~ B.1.d.ii of this section shall not exceed three square feet of sign area for each front foot of building occupancy.

2. Off-site Signs. In the C-2-TO zone, off-site signs shall be subject to the provisions of subsection B of Section 15.148.160~~(B)~~.

3. General Provisions Relating to Location.

a. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel.

b. With the exception of off-site signs, a sign may be located within or project into a required front or street sideyard setback area. However, no sign may project into or over an abutting public right-

of-way except as otherwise provided in this article. Off-site signs shall be located so as to provide and maintain the same front and street sideyard setbacks as are required for a building on the same parcel.

SECTION 16.

Section 15.148.250 of the Sacramento City Code is amended to read as follows:

15.148.250 Off-site signs and billboards on residentially used property.

Off-site signs and billboards on property used entirely for residential purposes and located in the C-2, C-4, M-1 and M-2 zones are subject to the following regulations:

A. Any off-site sign or billboard existing on such property on ~~the effective date of this article~~ April 4, 1970, may be retained, provided that if such sign does not comply with any other applicable provisions of this ~~article~~ chapter, the sign shall be subject to the nonconforming and amortization regulations contained in this ~~article~~ chapter.

B. No new off-site sign or billboard may be erected after ~~the effective date of this article~~ April 4, 1970, on property located in the aforementioned zones as long as such property is used entirely for residential purposes.

SECTION 17.

Section 15.148.260 of the Sacramento City Code is amended to read as follows:

15.148.260 Off-site signs and billboards near residences.

No off-site sign or billboard shall be ~~permitted~~ allowed where such sign faces the front or side yard of any lot within any residential zone, or any lot within any other zone which lot is used entirely for residential purposes, and is located within three hundred (300) feet of such lot line. No off-site sign or billboard shall be located on any vacant lot or parcel of land lying between two residential buildings where such buildings are less than three hundred (300) feet apart.

SECTION 18.

Section 15.148.340 of the Sacramento City Code is amended to read as follows:

15.148.340 Detached signs—Projection over canopy.

A detached sign supported by a sign structure which is imbedded in the ground and independent of a canopy for structural support, may project over a canopy. This section shall not be deemed to allow a detached sign to be located over, in whole or in part, the roof of a building. A detached sign which projects over a canopy shall comply with all other applicable regulations of this ~~article~~ chapter.

SECTION 19.

Section 15.148.360 of the Sacramento City Code is amended to read as follows:

15.148.360 Detached signs—Embellishment.

On detached signs the sign structure may extend above the maximum allowable height of the sign for embellishment purposes. Under no circumstances, however, may such extension exceed twenty (20) percent of the maximum allowable height for the sign or include any commercial or non-commercial text, logos, or trademarks. ~~Further, such embellishment shall not include thereon any symbol, representation, logogram, insignia, illustration or other form of advertising message.~~

SECTION 20.

Section 15.148.370 of the Sacramento City Code is amended to read as follows:

15.148.370 Projecting signs—Revocable permit.

All rights and privileges acquired under the provisions of this ~~article~~ chapter, permitting the erection or maintenance of signs over sidewalks or public rights-of-way are mere licenses, revocable at any time without compensation with or without cause, by the city council and all such permits shall contain this provision.

If the city council elects to revoke any such license, it shall give notice of such revocation to the permittee or owner of the property on which the sign is situated and the address shown on the permit or, in the case of the owner, at the address shown on the last equalized assessment roll, and shall afford him or her a period of not less than fourteen (14) days within which to remove the sign or to reconstruct it in such a manner that it does not protrude over the public right-of-way.

If the permittee or owner fails to remove the sign within the period prescribed by the council, it shall be removed by the director of building inspections in the manner provided for in Article X of this chapter.

SECTION 21.

Section 15.148.380 of the Sacramento City Code is amended to read as follows:

15.148.380 Projecting signs—Maximum distance of projection.

An attached sign may project over a public right-of-way a distance of not more than four feet, provided, however, no attached projecting sign shall have an over-all horizontal length in excess of nine feet. This regulation shall apply to all attached signs except those placed flat against a building, which are regulated by Sections 15.148.280 and 15.148.460 of this chapter, except as may otherwise be provided in this ~~article~~ chapter.

SECTION 22.

Section 15.148.400 of the Sacramento City Code is amended to read as follows:

15.148.400 Projecting signs—Minimum height above sidewalk.

Except as otherwise provided in this ~~article~~ chapter, no projecting sign shall be erected, altered, or relocated over a public right-of-way unless the bottom of the sign is ten (10) feet or more above the sidewalk.

SECTION 23.

Section 15.148.450 of the Sacramento City Code is amended to read as follows:

15.148.450 Signs to be designed as integrated architectural features.

In order to encourage and promote a harmonious relationship between buildings and signs, the planning and design commission shall have the authority to issue a conditional use permit in accordance with Article XIV of this chapter~~,~~ for signs which are designed into and are a part of an integrated architectural feature of a building where the strict application of the provisions of this ~~article~~ chapter would otherwise prohibit such signs.

SECTION 24.

Section 15.148.460 of the Sacramento City Code is amended to read as follows:

15.148.460 Signs on architectural projections extending over a public right-of-way.

The following regulations shall apply to signs which are located on or attached to or which are integral parts of an architectural projection which extends over a public right-of-way.

A. No sign attached to or which is an integral part of the face of an architectural projection shall extend above or below the face of such projection.

B. A sign erected on top of an architectural projection shall not exceed a maximum height of two feet above the upper edge of such projection. If directly illuminated, such sign shall be of internal illumination only.

C. A sign may be placed entirely below and may be supported by an architectural projection of a building when such architectural projection is designed to carry the additional weight of such signs. Such signs shall not exceed six feet in length or sixteen (16) inches in height. Such signs shall not project beyond the face of the architectural projection or more than ten (10) feet from the face of the building. Such signs, if illuminated, shall be double-faced signs with a minimum of four inches and a maximum of eighteen (18) inches between faces. No exposed tubing or incandescent lamps are ~~permitted~~ allowed. All such lighting devices shall be protected by acceptable shatter-proof material. Such signs shall be not less than eight feet above the sidewalk, shall be placed perpendicular to the face of the building, and located only at the entrance thereto. ~~Such signs shall have a legend restricted to the name or type of business occupying the building to which the architectural projection is attached.~~

D. No sign may be erected on or attached to an architectural projection in such a manner as to constitute a ~~haz-ard to firemen~~ hazard to firefighters or other emergency responders climbing a ladder placed against such architectural projection.

SECTION 25.

Section 15.148.470 of the Sacramento City Code is amended to read as follows:

15.148.470 Signs located on architectural projections not extending over a public right-of-way.

The following regulations shall apply to signs which are located on, attached to, or are an integral part of an architectural projection which does not extend over a public right-of-way:

A.

1. A sign which is attached to or which is an integral part of the face of an architectural projection may extend a maximum of four feet above or below the face of such projection.

2. A sign erected on top of an architectural projection may not exceed a height of four feet above the upper edge of the fascia of such projection.

3. A sign may be placed below and may be supported by an architectural projection of a building when such projection is designed to carry the additional weight of such signs.

B. Such signs shall not project beyond the face of the architectural projection. Such signs, if illuminated, shall be double-faced signs, with a minimum of four inches and a maximum of eighteen (18) inches between faces. No exposed tubing or incandescent lamps are ~~permitted~~ allowed. All such lighting devices shall be protected by acceptable shatterproof material.

C. Any sign attached to or located on an architectural projection shall be located not less than eight feet above a walkway, surfaced area, or ground level below such sign.

D. No sign may be erected on or attached to an architectural projection in such a manner as to constitute a hazard to ~~firemen~~ firefighters or other emergency responders climbing a ladder placed against such architectural projection.

SECTION 26.

Section 15.148.480 of the Sacramento City Code is amended to read as follows:

15.148.480 Signs located on awnings or canopies.

~~Signs consisting of one line of letters not exceeding eight inches in height may be painted, placed, or installed upon the hanging border only of~~ Signage on any awning or canopy erected and maintained in accordance with Chapter 12.36 of this code~~. An identification emblem, insignia, initial or other similar feature not exceeding~~ may not exceed an area of four square feet~~,~~; may be painted, placed or installed ~~elsewhere~~ only on the hanging border of the ~~on any~~ awning or canopy ~~provided that any sign, emblem, insignia or other such similar item~~; and shall comply with all other appropriate provisions of this ~~article~~ chapter.

SECTION 27.

Section 15.148.500 of the Sacramento City Code is amended to read as follows:

15.148.500 Moving, relocating or altering signs.

No existing sign may be moved or relocated to any other parcel, building, structure or portion thereof, unless such sign complies in its new location with all other provisions of this ~~article~~ chapter, or is altered so as to comply therewith. No existing sign may be moved or relocated on the same parcel, building, structure or portion thereof, unless such sign also complies with all other provisions of this ~~article~~ chapter, or is altered so as to comply therewith.

No existing sign may be altered unless such sign, after alteration thereof, complies with all other provisions of this ~~article~~ chapter. ~~Alteration shall be deemed to include a change of copy, message or sign legend, or portion thereof except where such change is a normal increment of the sign function common to such signs as a billboard, theater marquee, reader board, bulletin board or other similar sign.~~

SECTION 28.

A. Subsection E of section 15.148.600 of the Sacramento City Code is amended to read as follows:

E. Temporary Signs. Sign that ~~display messages other than general advertising and~~ meet the following criteria are exempt “temporary signs”:

1. Temporary signs in an ~~In any~~ R, A, or OB zone~~,~~.

   a. ~~t~~Temporary signs are allowed on any developed or undeveloped parcel in any R, A, or OB zone so long as the cumulative display area of all temporary signs on the parcel does not exceed ten (10) square feet.

   b. If a parcel in an R, A, or OB zone is undeveloped, then, in addition to the signs allowed by subsection E.1.a, one temporary sign that does not exceed 8 feet by 4 feet in dimension and 32 square feet in area is allowed if it is authorized by a sign permit issued under article II of this chapter. Notwithstanding subsection E.5 of this section, the sign may display general advertising, may be up to 8 feet in height, and may be displayed for up to one year from the issuance date of the sign permit. When the permit expires, at least 90 days must pass before another permit for such a sign may be issued.

2. Temporary signs in an ~~In any~~ SC, HC, C, or M zone~~,~~.

   a. ~~t~~Temporary signs are allowed on any developed or undeveloped parcel in an SC, HC, C, or M zone so long as the cumulative display area of all temporary signs on the parcel does not exceed fifty (50) square feet.

   b. If a parcel in an SC, HC, C, or M zone is undeveloped, then, in addition to the signs allowed by subsection E.1.b, one temporary sign that does not exceed 18 feet by 8 feet in dimension and 144 square feet in area is allowed if it is authorized by a sign permit issued under Article II of this chapter. Notwithstanding subsection E.5 of this section, the sign may display general advertising, may be up to 15 feet in height, and may be displayed for up to one year from the issuance date of the sign permit. When the permit expires, at least 90 days must pass before another permit for such a sign may be issued.

3. A temporary sign may not be located within or over the public right-of-way, except as follows: a temporary sign may be placed in that area of public right-of-way between the face of the street curb and the street side edge of the sidewalk (commonly referred to as the planting strip or the mowing strip) so long as the placement of the sign does not violate any provision of this code, including but not limited to Chapter 12.28 (relating to obstructions to visibility at intersections), Section 12.56.060 (relating to protection of trees),

and Section 15.148.620 (relating to traffic hazards); does not violate any other law or regulation; and does not otherwise constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties.

4. A temporary sign may be staked in the ground; may be tacked, pasted, or otherwise temporarily affixed to legally existing fences, structures, and buildings; and may be taped, painted, or otherwise temporarily affixed to the interior or exterior surfaces of building windows.

5. ~~A~~ Except as provided in subsections E.1.b and E.2.b of this section, a temporary sign may not display general advertising, may not be illuminated, may not be a roof sign, ~~and~~ may not exceed six feet in height~~.~~ ~~Temporary signs~~, and may not be displayed on a parcel more than a total of one hundred eighty (180) days in a calendar year.

B. Except as amended by subsection A of this section 28, all provisions of section 15.148.600 remain unchanged and in full effect.

SECTION 29.

A. Subsection A of section 15.148.630 of the Sacramento City Code is amended to read as follows:

A. No sign shall be ~~permitted which~~ allowed that is placed on any curb, sidewalk, post, pole, electrolier, hydrant, bridge, tree, or other surface located on public property or over or across any street or public thoroughfare except as may otherwise expressly be authorized by this ~~article~~ chapter.

B. Except as amended by subsection A of this section 29, all provisions of section 15.148.630 remain unchanged and in full effect.

SECTION 30.

Section 15.148.650 of the Sacramento City Code is amended to read as follows:

15.148.650 Moving.

Except as otherwise provided in Section 15.148.290 of this chapter, no sign or any other portion thereof shall be ~~permitted which~~ allowed that moves or assumes any other motion constituting a nonstationary or fixed condition except for the rotation of ~~barber poles, the indication of time of day and temperature, or~~ revolving prism units in off-site signs or billboards. Revolving prism units may be used if such parts

do not exceed a speed of one complete revolution, including the stationary condition of the prisms, in a thirty (30) second period.

SECTION 31.

Section 15.148.680 of the Sacramento City Code is amended to read as follows:

15.148.680 ~~Off-site signs~~ Billboards.

Notwithstanding any contrary provision of this chapter, from and after November 15, 2007, the construction, erection, installation, and use of new billboards are prohibited, subject to the following:

A. This section does not prohibit the city from entering into relocation agreements regarding existing billboards, as authorized by section 15.148.815 and state law.

B. This section does not affect billboards that legally existed on November 15, 2007; were legal when constructed; and are in conformance with all applicable laws. This section also does not affect the city's ability to condemn any existing billboards.

C. This section does not affect billboards constructed on or after November 15, 2007, under a relocation agreement authorized by section 15.148.815 and state law. ~~Off-site signs are prohibited except: (a) as otherwise provided in subsection C of Section15.148.160 of this chapter and; (b) subdivision development signs, when approved by the zoning administrator as provided in Section 15.148.880 of this chapter.~~

SECTION 32.

Section 15.148.770 of the Sacramento City Code is amended to read as follows:

15.148.770 Street improvement projects.

Any sign projecting over a public right-of-way ~~at the time of the effective date of this article which~~ on April 4, 1970, that was subject to removal or relocation at the owner's expense, pursuant to a permit or ordinance of the city, shall be removed by the owner or altered at the owner's expense to comply with the regulations of this ~~article~~ chapter if, as the result of, or after completion of a street improvement project, such sign does not or would not comply with the regulations of this ~~article~~ chapter.

SECTION 33.

Section 15.148.780 of the Sacramento City Code is amended to read as follows:

15.148.780 Signs for legal nonconforming uses.

Subject to the provisions of this section, signs for a legal nonconforming use as defined in the Planning and Development Code of the city are ~~permitted~~ allowed. Signs for a legal nonconforming use shall be deemed to comply with the provisions of this ~~article~~ chapter if they comply with the sign regulations for the most restrictive zoning district which permits the nonconforming use as an allowed use. Such signs shall be ~~permitted~~ allowed only so long as the nonconforming use is ~~permitted~~ allowed. Any such sign legally existing on ~~the effective date of this chapter~~ April 4, 1970, but which does not comply with the regulations of this ~~article~~ chapter shall be deemed to be a nonconforming sign under the provisions of this chapter and shall be subject to alteration or removal in accordance with the provisions of Section 15.148.790 of this ~~article~~ chapter. Notwithstanding any provision to the contrary herein, no new or additional detached sign after ~~the effective date of this chapter~~ April 4, 1970, for a nonconforming use shall be ~~permitted~~ allowed. The owner of the property on which the sign is located shall have the primary responsibility for removing the signs required to be removed or altered under this article.

SECTION 34.

Section 15.148.790 of the Sacramento City Code is amended to read as follows:

15.148.790 Alteration or removal of certain nonconforming signs.

A. At no cost to the city, signs existing in 1970 and rendered nonconforming by Ordinance No. 2868 shall be removed, or altered so as to comply with the provisions of this ~~article~~ chapter, within the following time limits:

1. Within one year from the effective date of Ordinance No. 2868:

   a. Canvas signs, banners, flags, pennants, streamers, bunting and wind signs;

   b. “A” frame signs, portable signs on advertising vehicles;

   c. Statuary or representative figures used for advertising purposes;

   d. Signs emitting sound, odor, or visible matter and exposed neon tubing, incandescent lighting or other artificial lighting or an equivalent effect used for the purpose of outlining a building.

2. Within three years after the effective date of Ordinance No. 2868:

a. Animated signs;

b. Moving signs, except as otherwise provided in Section 15.148.290 of this chapter.

3. Within ten (10) years from the date such signs were erected, or within five years from the effective date of Ordinance No. 2868, whichever occurs last:

a. Off-site signs or billboards in zones where not ~~permitted~~ allowed;

b Off-site signs or billboards in civic improvement districts, in accordance with the provisions of prior code Section 3.12.205;

c. Roof signs except as otherwise provided in Section 15.148.300 of this chapter;

d. Signs in excess of the number specified by Ordinance No. 2868;

e. Sidewalk clocks.

4. Any off-site sign or billboard existing on the effective date of Ordinance No. 2868 which is within six hundred sixty (660) feet of a freeway and the copy of such ~~off-site~~ sign is readily visible by persons traveling on such freeway, shall, without cost to the city, be removed within ten (10) years from the effective date of Ordinance No. 2868 or within three years from the date when the project for the landscaping of a section or sections of a freeway shall have been completed and accepted, whichever is earlier.

B. Off-site signs and billboards existing on October 29, 1981 and rendered nonconforming by Ordinance No. 81-093 may remain. However, the structure of such signs may not be modified or replaced except as otherwise provided in this ~~article~~ chapter.

SECTION 35.

Section 15.148.810 of the Sacramento City Code is amended to read as follows:

15.148.810 Signs hereafter rendered nonconforming.

Any sign which becomes nonconforming subsequent to the effective date of this ~~article~~ chapter, either by reason of annexation to the city of the territory upon which the sign is located, or the amendment of this ~~article~~ chapter, the Planning and Development Code, or other provision of this code so as to render such sign nonconforming shall be subject to the provisions of this article. The period within

which such sign must be removed shall commence to run upon the effective date of the annexation, amendment or the date upon which the sign otherwise becomes nonconforming.

SECTION 36.

A. Subsection A of section 15.148.815 of the Sacramento City Code is amended to read as follows:

A. Purpose. The purpose of relocation agreements approved pursuant to this section is to allow for the removal and relocation of existing, nonconforming, off-site signs to new and different locations, and to enable the substitute of off-site signs meeting modern standards for such existing, nonconforming, off-site signs. For purposes of this section, (1) "off-site sign" and its variants includes "billboards"; and (2) "relocation" includes the removal of existing nonconforming, off-site signage and the construction of new replacement off-site signage or alteration of existing off-site signage, subject to compliance with the requirements of this section.

B. Subsection F.4 of section 15.148.815 of the Sacramento City Code is amended to read as follows:

4. Reduction in Number of Signs and Square Footage. No relocation agreement shall be approved unless the relocation agreement results in~~:~~ (a) a net reduction in the number of off-site signs lawfully ~~permitted~~ allowed; and (b) a net reduction in the total square footage of off-site signage lawfully ~~permitted~~ allowed.

C. Except as amended by subsections A and B of this section 36, all provisions of section 15.148.815 remain unchanged and in full effect.

SECTION 37.

Section 15.148.820 of the Sacramento City Code is amended to read as follows:

15.148.820 Removal of signs by director of building inspections.

The director of building inspections shall remove or cause to be removed any abandoned, dangerous, defective, illegal, prohibited, nonconforming sign subject to removal under the provisions of Article IX of this chapter which has not been removed within the time period specified in such Article IX, or any other sign maintained in violation of the provisions of this ~~article~~ chapter. The director of building inspections shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed

or the violation is not corrected within ten (10) days the sign shall be removed in accordance with the provisions of this article.

For signs described under the provisions of subsection A of Section 15.148.790 of this chapter the notice shall be mailed or given to the occupant of the property or their employee or representative upon which the sign is located.

For all other signs the notice shall be mailed to the owner of the property on which the sign is located as shown on the last equalized assessment roll. If known, the notice may also be mailed or delivered to the owner of the sign and the occupant of the property.

Any person having an interest in the sign or the property may appeal the determination of the director of building inspections ordering removal or compliance by filing a written notice of appeal with the city planning director within ten (10) days after the date of mailing the notice, or ten (10) days after receipt of the notice if the notice was not mailed. The appeal shall be heard by the planning and design commission or a committee of the planning and design commission which the planning and design commission is authorized to create by resolution.

Such committee, if created, shall be called the sign code board of appeals.

Notwithstanding the above, in cases of emergency, the director of building inspections may cause the immediate removal of a dangerous or defective sign without notice.

SECTION 38.

Section 15.148.850 of the Sacramento City Code is amended to read as follows:

15.148.850 Freeway—Off-site signs and billboards.

After ~~the effective date of the ordinance codified in this article~~ April 4, 1970, no new or additional off-site signs or billboards shall be erected, nor shall any existing off-site sign or billboard be altered or relocated, within six hundred sixty (660) feet of the exterior right-of-way line of any portion of a freeway or of a route for a freeway which has been adopted by the State Highway Commission, if the copy of such off-site sign or billboard is or would be visible by persons traveling on such freeway or proposed freeway.

SECTION 39.

A. Subsection A.4 of section 15.148.860 of the Sacramento City Code is amended to read as follows:

4. Notwithstanding the above, motels, hotels, restaurants and gas stations located in the C-2, C-3, C-4, SC commercial zones, M-1 and M-2 industrial zones are ~~permitted~~ allowed to have the signage allowed in the highway commercial zone due to the freeway services these uses provide.

B. Subsection C of section 15.148.860 of the Sacramento City Code is amended to read as follows:

C. Attached Signs in All Zones.

1. Attached signs shall have a maximum area of one square foot for each front foot of first floor building occupancy; provided that in no event shall the total area of attached signs visible by persons traveling on the freeway exceed two hundred (200) square feet for each occupancy.

2. Attached signs shall have a maximum height of twenty (20) feet measured from grade level.

3. Attached signs for office buildings shall be ~~permitted~~ allowed as follows:

a. Materials, Construction and Design.

i. Signs may be constructed of solid metal individual letters, marble, granite, ceramic tile or other comparable materials ~~which are complimentary to the material of the building exterior~~. Examples of acceptable metal materials are chrome, brass, stainless steel or fabricated sheet metal. Plastic or wood signs are specifically prohibited.

ii. Individual solid metal letters shall be applied to the building face with a nondistinguishable background. Letters shall be pegged-out from the building face at least one and one-half inches and be reverse pan channel construction in one of the following:

(A) Fabricated aluminum letters with a polished chrome plated finish in fourteen (14) gauge aluminum with three inch returns; or

(B) Fabricated polished brass letters with clear lacquer finish in fourteen (14) gauge brass plate with three inch returns; or

(C) Fabricated sheet metal letters painted ~~dourandodic~~ duranodic bronze #313 or semi-gloss enamel in fourteen (14) gauge sheet metal with three inch returns. ~~If painted, only subdued hues or color tones may be used. Examples of such color tones are dark blue, rust, green, brown and black.~~

b. Number. One sign per building of freeway frontage above twenty (20) feet in height. If the building has multiple freeway frontage, the applicant/owner may select which building face on which to attach the sign.

c. Illumination.

i. Letters may be internally illuminated to create a halo back-lighted effect or ~~nonilluminated~~ unilluminated. Internally illuminated letters shall be lighted with white neon tubing and thirty (30) milliamperes transformers.

ii. Lighting shall not produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or a public street.

iii. Internally lit plastic signs are prohibited.

d. Location.

i. Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located.

ii. Signs may be located anywhere on face of building subject to subsection ~~(C)(3)(d)(iii)~~ C.3.d.iii of this section and may be oriented toward the freeway.

iii. A sign may be located in the “upper signage area.” “Upper signage area” shall be defined as the area bounded by: (1) the top of the windows of the tallest floor of the building; (2) the building parapet line; and (3) the two vertical edges of the building face on which the sign is attached.

~~e. Wording and Logos. A sign may consist of a company logo and/or a company name. No other wording is permitted.~~

e~~f~~. Maximum Signage. A maximum area of one square foot for each front foot of first-floor building occupancy provided that in no event shall the total area of an attached sign exceed one hundred fifty (150) square feet.

f~~g~~. Review and Approval. Proposed signs shall be subject to review and approval by the planning director prior to issuance of building and/or sign permits. When deciding whether to approve a sign, the director (a) shall consider all of the factors relating to the proposed sign and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the sign; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

4. Attached signs for shopping centers shall be ~~permitted~~ allowed as follows:

Signage for shopping center uses shall comply with subsections ~~(C)(3)(d)~~ C.3.d and ~~(C)(3)(e)~~ C.3.e of this section. For the purpose of this section "shopping center" shall be defined as a retail commercial business consisting of three or more retail tenants having shared parking facilities. In addition, the shopping center signage shall comply with the following standards:

a. Maximum Signage. Attached signs shall have a maximum area of one square foot for each front foot of first-floor building occupancy provided that in no event shall the total area of attached signs visible by persons travelling on the freeway exceed two hundred (200) square feet.

b. Number of Signs. One sign per building and no more than two signs per site to be located above twenty (20) feet in height.

c. Prohibited Signs. No attached sign shall in any manner identify a specific product(s) to be sold on the site. Sign may consist of a company logo and/or a company name only.

d. Materials and Design. All attached signs shall be constructed in a manner which is compatible with the design and materials of the structure on which it is to be affixed.

e. Review and Approval. Proposed signs shall require a zoning administrator's conditional use permit pursuant to chapter17.808 of this code.

C. Except as amended by subsections A and B of this section 39, all provisions of section 15.148.860 remain unchanged and in full effect.

SECTION 40.

Section 15.148.870 of the Sacramento City Code is amended to read as follows:

15.148.870 Neighborhood ~~identification~~ signs.

In any zone, a sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract ~~identification~~ sign provided a conditional use permit has been granted by the zoning administrator in accordance with article XIV of this chapter. ~~The legend of such a sign or display shall consist only of the neighborhood or tract name.~~

SECTION 41.

Section 15.148.880 of the Sacramento City Code is deleted.

~~**15.148.880 Subdivision development signs.**~~

~~A. On-site marketing signs in any zone in connection with the marketing of lots or structures in a subdivision require zoning administrator review in conjunction with the review of the model home complex/temporary sales office permit. A sign is considered an on-site marketing sign if it is located within the boundaries of the subdivision being marketed. On-site marketing signs are subject to the following conditions:~~

~~1. Such signs are allowed for a period not exceeding two years. The zoning administrator may renew the permit for additional one-year periods upon written application at least 30 days prior to expiration.~~

~~2. Subdivision identification signs shall be limited to signs which shall not exceed eight feet in height, eight feet by four feet in dimension and 32 square feet in area.~~

~~3. Individual unit identification signs shall be limited to one square foot in size and two feet in height.~~

~~4. Signs may be located within the required setback areas; however, in no case shall signs be located closer than ten feet to any public right-of-ways and driveways.~~

~~B. Off-site marketing signs require a zoning administrator's conditional use permit in any zone in connection with the marketing of lots or structures in a subdivision. A sign is considered an off-site marketing sign if it is located outside the boundaries of the subdivision it is marketing. Off-site marketing signs are subject to the following conditions:~~

~~1. Individual directional marketing signs shall not exceed four feet by eight feet in dimension, 32 square feet in area, eight feet in height, and shall be located outside on any setback imposed under the city Planning and Development Code for the zoning district in which the property is located.~~

~~2. The entire off-site signage program for subdivision shall be reviewed and approved in one application. No additional requests may be submitted.~~

~~3. Multi-faced regional subdivision signs shall be limited to 15 feet in height, shall contain no more than four panels, with a maximum of four feet by eight feet in size (32 square feet in area) per panel. The overall sign area shall not exceed eight feet by 18 feet (144 square feet). Signs shall be located outside the setback of the zoning district in which it is located.~~

~~4. Such permits shall be issued for a period of two years. The zoning administrator may renew such permits for an additional year upon written application at least 30 days prior to its expiration.~~

SECTION 42.

Section 15.148.890 of the Sacramento City Code is deleted.

~~**15.148.890 Signs for special events.**~~

~~Temporary signs, in excess of four square feet in area, may be erected as participation in a public parade, public event or public celebration for a period of not to exceed ten (10) days, provided, however, the erection of such signs shall be approved by the director of building inspections.~~

SECTION 43.

Section 15.148.900 of the Sacramento City Code is amended to read as follows:

15.148.900 Construction-site signs.

In any zone, one unlighted sign per development not to exceed thirty-two (32) square feet in area, may be placed on the lot or attached to the outside of a building during its construction period. ~~Such sign shall identify only the project, its developer, architects, engineers, designers, contractors or other persons or groups participating in the project.~~

SECTION 44.

Section 15.148.910 of the Sacramento City Code is amended to read as follows:

15.148.910 Permanent window signs.

Except in the R and A zones, for each ground floor occupancy of a building not more than two permanent signs may be painted on or otherwise displayed from the inside surface of any window, showcase or other similar facility. Such signs shall be in addition to those signs ~~permitted~~ allowed under the other provisions of this ~~article~~ chapter. The total area of such signs, however, shall not exceed a maximum sign area of four square feet.

SECTION 45.

Section 15.148.920 of the Sacramento City Code is deleted.

~~**15.148.920 Nonexempt signs for direction or instruction.**~~

~~Signs in excess of four square feet in area which provide direction or instruction to the public shall be allowed in any zone, provided such signs are located entirely on the property to which they pertain, do not contain any advertising message, and the number, size, and location thereof has been approved by the planning and design commission. In addition, the commission, with the approval of the city traffic engineer, may authorize the placing of directional signs at appropriate street intersections or other locations for the convenience of the motoring public; such signs to pertain to places of general interest such as schools, hospitals, public buildings, airports, fair grounds and other similar public service facilities.~~

SECTION 46.

Section 15.148.940 of the Sacramento City Code is amended to read as follows:

15.148.940 Special sign districts—Proceeding initiated by planning and design commission.

As an alternative to the method of creating a special sign district provided in Section 15.148.930 of this chapter, the planning and design commission may, on its own motion, conduct a public hearing on a proposed sign district and, at the conclusion of the hearing, may ~~on its own motion~~ by a two-thirds vote of its members adopt a resolution stating its intent to recommend to the city council that a specific area of the city be designated as a special sign district. The planning and design commission shall notify all property owners within the boundaries of the proposed special sign district, as shown on the last equalized assessment roll,

by mail at least ten days before the hearing. If such a resolution is so adopted, ~~the hearings provided by~~ the city council may give notice and hold a hearing on the proposed sign district in accordance with the procedure provided by Section 15.148.930 of this chapter ~~shall be held~~ as if the owners of sixty (60) percent or more of the street frontage within the ~~property~~ proposed district had petitioned the planning and design commission for the formation of the proposed district.

SECTION 47.

Section 15.148.990 of the Sacramento City Code is amended to read as follows:

15.148.990 Generally.

When the strict application of the provisions of this ~~article~~ chapter would result in unnecessary hardship or a result inconsistent with the general purposes of this ~~article~~ chapter, a variance from the provisions of this ~~article~~ chapter may be granted in accordance with the provisions of this ~~article~~ chapter.

SECTION 48.

Section 15.148.1010 of the Sacramento City Code is amended to read as follows:

15.148.1010 Variance powers—Planning and design commission.

The planning and design commission shall have authority to grant a variance from the provisions of this ~~article~~ chapter, except those pertaining to sign specifications set forth in Article V of this chapter.

SECTION 49.

Section 15.148.1030 of the Sacramento City Code is amended to read as follows:

15.148.1030 Use variance.

No "use variance" shall be granted. A "use variance" is one which permits a particular type of sign to be located in a zone in which it is prohibited by this ~~article~~ chapter.

SECTION 50.

A. Subsection A of section 15.148.1040 of the Sacramento City Code is amended to read as follows:

A. That exceptional or extraordinary circumstances or conditions apply to the case referred to in the application that do not apply generally in the same district and the enforcement of the regulations of this ~~article~~ chapter would have an unduly harsh result upon the utilization of the subject property;

B. Except as amended by subsection A of this section 50, all provisions of section 15.148.1040 remain unchanged and in full effect.

SECTION 51.

Section 15.148.1050 of the Sacramento City Code is amended to read as follows:

15.148.1050 Fee.

A fee as established in the city's fee and charge report shall be paid upon the filing of each application for a variance from the provisions of this ~~article~~ chapter, except that no fee shall be required for a variance from the provisions of Article V of this chapter.

SECTION 52.

Section 15.148.1060 of the Sacramento City Code is amended to read as follows:

15.148.1060 Hearing.

A. A variance application shall be considered at a public hearing by the zoning administrator, planning and design commission, or the construction codes advisory and appeals board where variances from the provisions of Article V of this chapter are requested. The zoning administrator, planning and design commission or the construction codes advisory and appeals board may attach conditions to the granting of any variance when, in its judgment, such conditions are necessary or desirable to accomplish the purpose of this ~~article~~ chapter. The decision to grant or deny a variance or to impose conditions on a variance may not be based on the content of messages except to the extent needed to comply with federal or state law.

B. Except to the extent that the terms of this article conflict therewith the procedural requirements for any hearing before the zoning administrator, planning and design commission and city council required by the provisions of this article shall be governed by the provisions of chapter 17.812.

C. Written notice of the hearing shall be given as specified in chapter 17.812 of this code.

SECTION 53.

Section 15.148.1070 of the Sacramento City Code is amended to read as follows:

15.148.1070 Authority for conditional use permits.

Where a conditional use permit is authorized or required by this ~~article~~ chapter, such permit may be granted at the discretion of the planning and design commission. It is not an automatic right of any applicant. The commission shall consider all the factors relating to the proposed sign and whether such sign will adversely affect the public health, safety and welfare and whether the application complies with the statements contained in Section 15.148.010 relating to the purpose of this chapter.

SECTION 54.

Section 15.148.1110 of the Sacramento City Code is amended to read as follows:

15.148.1110 Hearing.

A. A conditional use permit application shall be considered at a public hearing by the zoning administrator or planning and design commission. The zoning administrator or planning and design commission may attach conditions to the granting of any conditional use permit when in its judgment, such conditions are necessary or desirable to accomplish the purpose of this chapter.

B. Except to the extent that the terms of this chapter conflict therewith the procedural requirements for any hearing before the zoning administrator, planning and design commission and city council required by the provisions of this chapter shall be governed by the provisions of chapter 17.812.

C. Written notice of the hearing shall be given as specified in chapter 17.812.

D. The decision to grant or deny a conditional use permit or to impose conditions on a conditional use permit may not be based on the content of messages except to the extent needed to determine legality under federal or state law.

E. Before granting a conditional use permit, the zoning administrator or the planning and design commission shall consider all of the factors relating to

the proposed sign and, based on the evidence submitted, make the following findings, as applicable:

1. The proposed sign will not produce adverse spillover effects (glare, flashing, etc.) on other nearby land uses.

2. The sign is architecturally compatible, in terms of comparative scale and scope, with building heights in the existing neighborhood.

3. The sign does not impose a foreign or inharmonious element to the existing skyline.

4. The location and placement of the sign will not endanger motorists or pedestrians.

5. The sign will not materially obstruct any prominent view of a structure or facade of historical or architectural significance.

6. The sign will not materially obstruct views of users of adjacent buildings to side yards, front yards, or open space.

7. The sign will not adversely affect the visual quality of a public open space as a public recreation facility, square, plaza, courtyard, or other similar use.

8. The sign's lighting will not cause hazardous or unsafe driving conditions for motorists.

SECTION 55.

Section 15.148.1150 of the Sacramento City Code is amended to read as follows:

15.148.1150 Hearing procedure.

To the extent that the provisions of this chapter are not inconsistent therewith, the procedural requirements of chapter 17.812 of this code govern any hearing required by this chapter. When deciding to affirm, modify, or reverse the action or decision appealed, the planning director, the planning and design commission, and the city council shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

SECTION 56.

Section 15.148.1170 of the Sacramento City Code is amended to read as follows:

15.148.1170 Generally.

The following words and phrases when used in this chapter shall be construed as defined in this section:

"Animated sign" means any sign which is designed and constructed to give a message through a sequence of progressive changes of parts or lights or degree of lighting.

"Architectural projection" means a marquee, porch, canopy or other similar architectural projection.

~~"Area of a sign" means the entire area within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space of a similar nature, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area, provided both faces are parallel and the distance between faces does not exceed two feet.~~

~~Further, where a sign consists only of individual letters, numerals, symbols, or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign shall be the sum of the areas of the squares or rectangles surrounding each individual sign component.~~

"Attached sign" means any sign which is fastened, attached, connected or supported in whole or in part by a building, or structure other than a sign structure which is supported wholly by the ground.

"Billboard" means a permanent sign structure that is in a fixed location and is used, in whole or part, for general advertising for hire.

"Business day" means any day the city's offices located at 300 Richards Boulevard, Sacramento, California, are open to the public.

"Detached sign" means any sign not supported in whole or in part by a building, or structure other than by a sign structure which is supported wholly by the ground.

“Digital billboard” means a billboard or other off-site sign that uses digital-display technology.

~~“Directional sign” means any sign which serves solely to designate the location or direction of any place or area.~~

“Directly illuminated sign” means any sign designed to provide artificial light directly or through transparent or translucent material from a source of light within or on such sign, including, but not limited to, neon and incandescent lamp signs.

“Display area” means the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition that forms an integral part of the display and is used to differentiate the sign from the wall or background against which it is placed, excluding the necessary supports or uprights on which the sign is placed. Where a sign has two or more display faces, the area of all faces will be included in determining the area of the sign, except that only one face of a double-faced sign will be considered in determining the display area, provided that both faces are parallel and the distance between faces does not exceed two feet. Further, where a sign consists only of individual letters, numerals, symbols, or other similar components and is painted on or attached flat against the wall of a building, and where the individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign will be the sum of the areas of the squares or rectangles surrounding each individual sign component.

“Establishment” means any legal use of land, other than long-term-residential uses, that involves the use of structures subject to the Sacramento City Building Code. Examples of an “establishment” are businesses, factories, farms, churches, schools, hospitals, hotels, motels, offices, and libraries, but “establishment” does not include single-family homes, mobile homes, residential apartments, residential-care facilities, or residential condominiums. A multi-unit housing development is an “establishment” while under construction, but an individual unit within such a development is not an “establishment” after a certificate of occupancy has been issued or a full-time residency begins.

“Flashing sign” means an illuminated sign which exhibits changing light or color effect by blinking or any other such means so as to provide a nonconstant illumination.

“Freeway” means a highway, in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands, or in respect to which such owners have only a limited or restricted right or easement of access, the precise route for which has been determined and designated as a freeway by an authorized agency of the state or a political subdivision thereof. The term

includes the main traveled portion of the traffic way, all land situated within the right-of-way, and all ramps and appurtenant land and structures.

“Front footage of building occupancy” means a single lineal dimension measured horizontally along the front of a building which defines the limits of a particular occupancy at that location.

“General advertising” and “general advertising for hire” mean the ~~enterprise of advertising or promoting other businesses or causes using methods of advertising, in contrast to self-promotion or on-site advertising~~ displaying of messages that advertise or promote the establishments, activities, or causes of others, typically for a fee or other consideration.

“Height of sign” means the vertical distance measured from the adjacent street grade or upper surface of the nearest curb of a street other than an elevated roadway, whichever permits the greatest height, to the highest point of such sign.

~~“Identification sign” means a sign which serves to tell only the name, address, and lawful use of the premises upon which it is located. A bulletin board of a public, charitable or religious institution used to display announcements relative to meetings to be held on the premises shall be deemed an identification sign.~~

“Indirectly illuminated sign” means a sign whose illumination is derived entirely from an external artificial source which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.

“Landscaped freeway” means a section or sections of a freeway which is now, or hereafter may be, improved by the planting of at least one side of the freeway right-of-way with lawns, trees, shrubs, flowers or other ornamental vegetation which shall require reasonable maintenance.

“Monument sign” means a sign which is erected with its base on the ground or on a support substantially equivalent in width and depth to the base of the sign; which incorporates into its design the design and building materials of the building and structures on the same premises that the sign serves, and which does not exceed twelve feet in height.

“Moving sign” means any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical, electronic, or kinetic means, including intermittent electrical pulsations, or by actions of wind currents.

“Multiple family structure” means any residential structure containing three or more living units.

~~“Name plate” means a sign which designates the name and address of a person or persons occupying the premises upon which it is located.~~

“Nonconforming sign” means an existing sign legally existing at the time of the effective date of this chapter which does not conform to the provisions of this chapter.

“Occupancy” means a separate use of property carried on at all or a portion of a building parcel.

“Off-site sign” means any sign that (a) is used to display messages other than general advertising for hire and (b) is not located on the premises of the message sponsor. ~~not located on the premises of the business or entity indicated or advertised by such sign. This definition shall include billboards, poster panels, painted bulletins and other similar advertising displays.~~

“Old City” means that area of the city of Sacramento bounded by the Southern Pacific main line railroad levee on the north, the Sacramento River on the west, Broadway on the south, and Alhambra Boulevard on the east. The Old City shall also include all parcels of property abutting on the east boundary of Alhambra Boulevard and the south boundary of Broadway.

“On-site 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~~ that (a) directs attention to an establishment or activity conducted on, or to a product, service, or entertainment sold or offered on, the same premises as those upon which the sign is maintained; and (b) does not display general advertising for hire.

“Parcel” means a parcel of land shown on a subdivision map, record of survey map, parcel map, or a parcel described by metes and bounds which constitutes one development site whether composed of a single unit of land or contiguous units under common ownership.

“Portable sign” means any sign not permanently affixed to the ground or a structure on the premises it is intended to occupy.

“Projecting sign” means any sign which is located, in whole or in part, in or over the right-of-way of any street, sidewalk, or alley, or other public thoroughfare. A projecting sign shall also include any sign affixed to or part of a marquee, canopy, or vestibule where such sign is located in or over the street right-of-way.

“R zone” means an R-1, R-1A, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-5, RMX, and RO zone as defined in the Planning and Development Code.

“Roof sign” means any sign or portion thereof located on, or extending over the roof of a building and either supported by the roof or by an independent structural frame. A sign which is attached flat against the wall of a penthouse or other similar roof structure which is part of the enclosed floor area of the building shall not be considered a roof sign.

“Rotating sign” means any sign or portion thereof which physically revolves about an axis.

“Setback area” means the open space area defined in the Planning and Development Code under the term yard, and, where applicable, includes the definitions of yard, rear; yard, front; and yard, side; as defined.

“Sign” means and includes every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space erected or maintained in view of the observer thereof for identification, advertisement or promotion of the interests of any person, entity, product, or service.

“Street frontage” means the length of a lot or parcel of land along or fronting on a street or other principal thoroughfare but not including such length along an alley, watercourse, railroad right-of-way or limited access roadway or freeway.

“Swinging sign” means a sign that is supported by cables against movement due to wind in such a way that, in the event of an emergency such cables may be cut, and the sign swung back against the building and in such a position will continue to be supported by the building with no danger of falling.

“Unilluminated sign” means a sign not illuminated either directly or indirectly.

“Wind sign” means any sign or portion thereof or series of signs, banners, flags or other objects designed and fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

SECTION 57.

Ordinance No. 2007-079 is repealed in its entirety.

ORDINANCE NO. 2016-XXX

Adopted by the Sacramento City Council
February __, 2016

AN ORDINANCE AMENDING CERTAIN SECTIONS IN CHAPTER 15.148 OF THE SACRAMENTO CITY CODE RELATING TO SIGNS AND REPEALING ORDINANCE NO. 2007-079

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 15.148.060 of the Sacramento City Code is amended to read as follows:

15.148.060 Issuance of sign permits.

A. Within thirty (30) days after submission of an application for a sign permit, the chief building official shall do one of the following:

1. If the chief building official determines that the proposed sign complies with all applicable laws and regulations, then the chief building official shall issue the permit.

2. If the chief building official determines that the application is incomplete or that the proposed sign does not comply with all applicable laws and regulations, then the chief building official shall issue a notice to the applicant that identifies the deficiencies. Within thirty (30) days after receiving the notice, the applicant may correct the deficiencies and resubmit the application without paying any additional fees, and the chief building official shall process the resubmission in the same way that new applications are processed. Only one resubmission is allowed. If the chief building official determines that a resubmitted application is still incomplete or that the proposed sign still does not comply with all applicable laws and regulations, then the application will be deemed denied.

B. An application will be deemed denied if the chief building official does not act on it as required by subsection A.1 or A.2 within thirty (30) days after the application is submitted or resubmitted unless the applicant has waived the thirty (30) day requirement.

C. Every sign permit issued by the chief building official will expire if the work authorized by the permit is not commenced within sixty (60) days after the issuance date of the permit or if the work is suspended or abandoned for one hundred twenty (120) consecutive days or more after the work is commenced. Before the work may be commenced or resumed after

expiration, a new permit must first be obtained, and the fee therefor will be one-half the amount required for a new permit for the work, except as follows: if changes have been made or will be made in the original plans and specifications for the work, or if the suspension or abandonment exceeds one year, then the fee will be the same as the fee for a new permit.

D. The chief building official may, in writing, suspend or revoke a sign permit whenever the permit is issued on the basis of a material omission or misstatement of fact or in violation of this chapter or any ordinance.

E. When deciding whether to issue, deny, suspend, or revoke a permit, the chief building official shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

SECTION 2.

Section 15.148.080 of the Sacramento City Code is amended to read as follows:

15.148.080 Fees.

Permits shall be subject to such fees as are specified by resolution of the city council relating to the building and electrical codes of the city, provided, however, that the minimum fee for a permit exclusive of any permit costs for electrical components, shall be as established by resolution of the city council. In addition, when any sign is hereafter erected, placed, installed or otherwise established on any property prior to obtaining permits as required by this chapter the fees therefor shall be doubled, but the payment of such double fee shall not relieve any person from complying with other provisions of this chapter or from penalties prescribed herein.

SECTION 3.

Section 15.148.100 of the Sacramento City Code is amended to read as follows:

15.148.100 Regulations established.

The regulations in this article are adopted governing the number, size, type, location, and other provisions relating to signs within the various zones of the city as the zones are established and designated by the Planning and Development Code. No signs shall be allowed in these zones unless allowed by this chapter or unless such signs comply with the regulations established in Article IX of this chapter relating to legal nonconforming uses.

SECTION 4.

Section 15.148.110 of the Sacramento City Code is amended to read as follows:

15.148.110 Residential zones.

Within any R residential zone, signs are allowed as follows:

A. For each single-family home or duplex, one sign not exceeding a combined area of one square foot for each occupancy. Such a sign shall not be subject to the permit requirements of this chapter.

B. For rooming and boarding houses, one unilluminated, attached sign, for each street frontage, not exceeding twelve (12) square feet in area.

C. For a meeting place at which the public or membership groups are assembled regularly or occasionally, including churches or faith congregations, auditoriums, stadiums, and similar places of assembly, one sign, which may be attached or detached, not exceeding twenty-four (24) square feet in area for each street frontage, plus one additional attached sign not exceeding eight square feet in area. The square footage totals shall not be combined into one sign. A detached sign shall be a monument type sign, which may be placed in the landscaped setback area but must be located farther than 10 feet from the public right-of-way. The height of the monument sign shall not exceed six feet.

D. For multi-family uses, one sign not exceeding twelve (12) square feet in area per each street frontage. Signs may be attached or detached, however, detached signs must meet the following requirements:

1. For multi-family uses, one detached sign is allowed at each major entrance into the development. No more than one detached sign is allowed per street frontage. For corner lots, a detached sign may be substituted for a street frontage and placed within the landscaped setback area at the street corner. Placement of said corner detached sign shall adhere to the visibility requirements for corner lots in the Planning and Development Code.

2. A detached sign shall be a monument type sign or incorporated into a low profile decorative entry wall(s).

3. The height of the monument sign shall not exceed six feet.

4. The detached sign(s) may be placed in the landscape setback area; however, it must be located farther than ten (10) feet from the public right-of-way.

5. The primary material of the monument base or wall shall be decorative masonry such as brick, split face concrete block, stucco, or similar material which compliments the design of the main building(s).

6. Backlit canned plastic signs are not allowed.

7. If the detached sign is placed on a free-standing monument base, a double-faced sign is allowed. If the detached sign is affixed flat against an entry wall, one single-faced sign on each side of the driveway is allowed.

E. For all other nonresidential uses, two signs are allowed for each street frontage not exceeding a total of sixteen (16) square feet in area. Attached signs shall be placed flat against a building or designed as part of an architectural feature thereof. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with. Any detached sign shall be a monument type sign. The height of the monument sign shall not exceed six feet. The detached sign may be placed in the landscaped setback area; however, it must be located farther than ten (10) feet from the public right-of-way.

F. All illuminated signs in the residential zones, including bulletin boards, shall be indirectly illuminated. Directly illuminated signs are prohibited unless authorized by a zoning administrator's conditional use permit issued in accordance with article XIV of this chapter.

SECTION 5.

Section 15.148.120 of the Sacramento City Code is amended to read as follows:

15.148.120 A agricultural zone.

Within an A agricultural zone, signs are allowed on each parcel as follows:

A. One sign for each developed parcel not exceeding thirty-two (32) square feet in area.

B. All signs shall conform to building setback requirements specified by the Planning and Development Code.

C. No detached sign shall exceed a height of thirty-five (35) feet. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with.

SECTION 6.

Section 15.148.125 of the Sacramento City Code is amended to read as follows:

15.148.125 RMX residential mixed-use zone.

A. In the RMX zone, residential uses shall be allowed signs as provided in Section 15.148.110 Residential Zones.

B. In the RMX zone, commercial uses shall be allowed signs as provided in Section 15.148.150 C-1 Limited Commercial Zone.

SECTION 7.

Section 15.148.130 of the Sacramento City Code is amended to read as follows:

15.148.130 OB office building, R-O residential office and H hospital zones.

Within the OB office building and H hospital zones and when office uses are developed in the R-O residential office zone, signs are allowed as follows:

A. Two signs for each street frontage not exceeding a total of sixteen (16) square feet in area for all displays. Signs may be attached or detached.

B. All signs shall be placed flat against a building or designed as part of an architectural feature thereof. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with.

C. All detached signs shall be monument type signs. The height of the monument sign shall not exceed six feet. All detached signs shall be located at least ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area.

D. The planning and design commission may grant a conditional use permit in accordance with article XIV of this chapter to permit signage in excess of that allowed by this section for facilities which regularly provide emergency medical care.

SECTION 8.

Section 15.148.140 of the Sacramento City Code is amended to read as follows:

15.148.140 SC shopping center and HC highway commercial zones.

Within the SC shopping center and HC highway commercial zones, signs are allowed as follows:

A. One detached sign for each developed parcel not exceeding one square foot of sign area for each lineal foot of street frontage abutting the developed portion of such parcel, provided that:

1. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.

2. Where a developed parcel is allowed to have more than one detached sign under these regulations, the distance between the detached signs on each parcel shall be not less than three hundred feet.

3. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.

B. Two attached signs for each occupancy within the developed parcel. Such signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. Such signs shall be placed flat against the building, on an architectural projection, or attached to the underside of an architectural projection subject to the provisions of Sections 15.148.460 and 15.148.470.

C. No detached sign shall exceed a height of thirty-five (35) feet. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with.

D. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel. A sign may be located within or project into a required front or street sideyard setback area; however, no sign may project into or over an abutting public right-of-way except as otherwise provided for in this chapter.

SECTION 9.

Section 15.148.150 of the Sacramento City Code is amended to read as follows:

15.148.150 C-1 limited commercial zone.

Within the C-1 limited commercial zone, signs are allowed as follows:

A. One attached sign for each occupancy. The total area for all such signs shall not exceed one square foot of sign area for each front foot of building occupancy. Such signs shall be placed flat against the building, on an architectural projection, or attached to the underside thereof, subject to the provisions of Sections 15.148.460 and 15.148.470 of this chapter. No height limit is specified for signs placed flat against the wall of a building, or for other attached signs provided all other provisions of this chapter are complied with.

B. One detached sign for each street frontage not exceeding twenty-four (24) square feet in area. All detached signs shall be monument type signs. All detached signs shall be located ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area. The height of the monument sign shall not exceed six feet.

SECTION 10.

Section 15.148.160 of the Sacramento City Code is amended to read as follows:

15.148.160 C-2 and C-4 commercial, M-1 and M-2 industrial zones.

Within the C-2 and C-4 (commercial), M-1 and M-2 (industrial) zones, signs are subject to the following regulations:

A. On-Site Signs.

1. One detached sign for each developed parcel not exceeding one square foot of sign area for each lineal foot of street frontage abutting the developed portion of such parcel, provided that:

a. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.

b. Where a developed parcel is allowed to have more than one detached sign under these regulations, the distance between such

detached signs on each parcel shall be not less than three hundred (300) feet.

c. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.

2. Two attached signs are allowed for each occupancy. Such signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. Such signs may be placed flat against a building, may be projected or nonprojected signs and may be located on an architectural projection or attached to the underside of an architectural projection subject to the provisions of Sections 15.148.460 and 15.148.470 of this chapter.

3. The maximum height limit for detached signs shall be as follows:

a. In C-2 and C-4 zones: thirty-five (35) feet;

b. In M-1 and M-2 zones: forty (40) feet.

No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with.

B. Off-Site Signs. Except as otherwise prohibited by this chapter, off-site signs are allowed in the C-2, C-4, M-1, and M-2 zones as follows:

1. All off-site signs shall be detached signs.

2. No off-site sign shall be located nearer than five hundred (500) feet to any other off-site sign on the same side of the street as such off-site sign. When an off-site sign is located on one street but is oriented to be viewed primarily from another street, no such sign shall be located nearer than five hundred (500) feet to any other off-site sign on the same side of the street on which it is located or any other off-site sign located on the nearest side of the street to which said sign is oriented.

3. An off-site sign shall not exceed three hundred (300) square feet in area.

4. The maximum height limit for an off-site sign shall be thirty (30) feet in the C-2 zone and thirty-five (35) feet in the C-4, M-1 and M-2 zones.

5. No off-site sign shall be located in the area bounded by Interstate 5 to the west, 17th Street to the east, H Street to the north, and Q Street to the south.

C. General Provisions Relating to Location. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel.

With the exception of off-site signs, a sign may be located within or project into a required front or street sideyard setback area. However, no sign may project into or over an abutting public right-of-way except as otherwise provided in this chapter. Off-site signs shall be located so as to provide and maintain the same front and street sideyard setbacks as are required for a building on the same parcel.

SECTION 11.

Section 15.148.170 of the Sacramento City Code is amended to read as follows:

15.148.170 M-1 (S) and M-2 (S) industrial park zones.

Within the M-1 (S) and M-2 (S) industrial park zones, on-site signs are allowed as follows:

A. One detached sign for each street frontage. Detached signs shall be a monument measured from the sidewalk or parking lot, whichever is lower. Sign shall not exceed forty-eight (48) square feet in area.

B. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached monument type sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of said parcel. Where a developed parcel is allowed to have more than one detached monument type sign under these regulations, the distance between the detached signs on each parcel shall be not less than three hundred (300) feet.

C. Two attached signs for each occupancy. The signs shall not exceed a total aggregate area of three square feet of sign area for each front foot of building occupancy. No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this chapter are complied with.

D. Monument signs may be placed within required front, sideyard, or rear yard setback area. However, a monument sign shall be located at least ten (10) feet from any property line and at least five feet from any driveway in order to provide a clear vision area.

SECTION 12.

Section 15.148.180 of the Sacramento City Code is amended to read as follows:

15.148.180 F flood zone.

Within the F flood zone, no sign shall be allowed unless a conditional use permit therefor has been granted by the planning and design commission in accordance with article XIV of this chapter.

SECTION 13.

Section 15.148.190 of the Sacramento City Code is amended to read as follows:

15.148.190 CBD-SPD and arts and entertainment district boundary.

Within the CBD-SPD (C-3 zone) and the arts and entertainment district boundary, the following sign regulations shall apply:

A. General Requirements.

1. A sign program shall be submitted with an individual project application to the planning director. The sign program shall address:

   a. Proposed location of signage;

   b. Dimensions of signage area;

   c. Materials and design guidelines for sign support, structure, and illumination method.

2. No signs shall be allowed above the building base or street-wall as defined in Section 4.0 of the architectural design guidelines. Signs for the main building tenant are allowed to be located above building base/street-wall subject to provisions of subsections E.6 and E.7 of this section.

3. No off-street signage shall be allowed.

B. Design Requirements.

1. The location of signs shall be only as shown on the approved plans by the planning director.

2. All electrical signs shall bear the UL label and their installation must comply with all local building and electrical codes.

3. No exposed conduit or raceways will be allowed.

4. All conductors, transformers, and other related equipment shall be concealed.

5. All sign fastenings, bolts, and clips shall be galvanized iron, stainless steel, aluminum, brass, or bronze, or black iron of any type will be allowed.

6. All exterior letters on signs exposed to the weather shall be mounted at least three-fourths inch from the building surface to permit dirt and water drainage.

7. Location of all openings for conduit and sleeves in sign panels of building shall be indicated on drawings.

8. Installation of all signage shall be in accordance with the drawings approved by the planning director. When deciding whether to approve the drawings, the director (a) shall consider all of the factors relating to the proposed signage and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the signage; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

C. Types of signage:

1. Flat mounted wall signs;

2. Individual-letter signs (e.g., channel letters or flat cut-out letters);

3. Wall plaques;

4. Objects;

5. Window/awning signage;

6. Projecting signs.

D. Type of Materials. Signage material must be weather-proof.

E. Location and Size.

1. Attached Signs.

a. Maximum number of flat/projecting signs: two per occupant.

b. Maximum area of flat sign: three square feet per front foot of building occupancy, not to exceed forty-five (45) square feet.

c. Maximum height of flat sign: three feet.

2. Projecting sign (no more than one per occupant).

    a. Maximum area on side: twenty (20) square feet.

    b. Maximum height of sign: ten (10) feet.

    c. Maximum distance from building face to outer edge of sign: four feet.

    d. Minimum height from sidewalk to bottom of sign: eight feet.

3. Suspended Signs.

    a. Maximum number of suspended signs: one per occupant.

    b. Maximum area each face: nine square feet.

    c. Maximum height: one foot and six inches.

    d. Minimum height from sidewalk to bottom of sign: eight feet.

4. Awning/Canopy Signage. Signage on any awning or canopy may not exceed 25% of surface area and must comply with all other applicable provisions of this article. The maximum height of the signage is 12 inches.

5. Banners.

    a. Total maximum area per banner: forty (40) square feet.

    b. Maximum number of banners: one for each building face.

    c. Banners in alleys: a banner which projects above a public alley shall be located not less than ten (10) feet above the alley grade, projecting pole mount must be no less than fourteen (14) feet above alley grade, and banner shall not project more than two feet from the building face.

6. Special Signage. Notwithstanding section 15.148.640, the following special signs are allowed if authorized by a zoning administrator's conditional use permit issued in accordance with article XIV of this chapter: signs with exposed neon tubing, signs with flashing lights, signs with traveling lights on theater marquees or nightclubs, and functionally similar signs (excluding signs with digital-display technology).

7. Office Towers—Attached Signs. Signage on office buildings above the street-wall or building base as defined in Section 4.0 of the architectural design guidelines is allowed subject to the following provisions:

a. Design. Signage must be integral in design to the architectural style of the building.

b. Number. Two signs per building, each with the same display. No more than one sign per building face.

c. Materials, construction and design signs may be constructed of solid metal, marble, granite, ceramic tile or other comparable materials. Examples of acceptable metal materials are chrome, brass, stainless steel or fabricated and painted sheet metal. Plastic or wood signs are specifically prohibited.

d. Illumination. Signs may be unilluminated or internally illuminated to create a halo backlighted effect. Internally illuminated signs shall be lighted with neon tubing or light-emitting diodes (LEDs). Lighting shall not produce a glare on other properties in the vicinity, and the source of the light shall not be visible from adjacent property or a public street. Internally lit plastic signs are prohibited.

e. Location. Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located. A sign may be located in the “upper signage area.” “Upper signage area” is defined as the area bounded by (1) the top of the windows of the tallest floor of the building; (2) the building parapet line; and (3) the two vertical edges of the building face on which the sign is attached. A sign may be located outside the “upper signage area” if in a sign zone approved as part of the building design approval, or in a location approved by the planning director. When deciding whether to approve a sign location, the director shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

f. Maximum Sign Area. A sign located in the “upper signage area” shall not exceed ten (10) percent of that area. The length of the sign shall not exceed twenty-five (25) percent of the length of linear building face on which the sign is affixed. In a scale consistent with the two preceding paragraphs, the planning director shall determine the maximum size of the following types of signs:

    i. Signs located other than as specified above;

    ii. Signs located on buildings with a unique or unusual architectural design.

g. If not specifically approved as part of the design approval for the building, the following types of signs shall require a zoning administrator's conditional use permit issued in accordance with article XIV of this chapter:

i. Signs not located in the "upper signage area," as defined in subsection E.7.e of this section.

ii. Signs which use construction materials other than marble, granite, ceramic tile or individual solid metal letters pursuant to subsection E.7.c of this section.

Except as provided in subsection E.7.g of this section, attached signs consistent with this section shall be subject to issuance of a permit under article II of this chapter.

SECTION 14.

Section 15.148.193 of the Sacramento City Code is amended to read as follows:

15.148.193 Sacramento railyards SPD.

The following sign regulations shall apply in the railyards SPD.

A. General Requirements.

1. A sign program shall be submitted with each individual project application for a planning director urban development permit. The sign program shall address:

a. Proposed location of signage;

b. Dimensions of signage area;

c. Materials and design guidelines for sign support, structure, and illumination method.

B. Design Requirements.

1. Sign design shall conform to the railyards design guidelines.

2. The location of signs shall be only as shown on the plans approved by the planning director.

3. All electrical signs shall bear the UL label and their installation must comply with all local building and electrical codes.

4. Installation of all signage shall be in accordance with the drawings approved by the planning director. When deciding whether to approve the drawings, the director (a) shall consider all of the factors relating to the proposed signage and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the signage; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

C. Types of Signage.

1. Flat mounted wall signs;

2. Individual-letter signs (e.g., channel letters or flat cut-out letters);

3. Wall plaques;

4. Objects;

5. Window/awning signage;

6. Projecting signs.

D. Type of Materials. Signage material must be weather-proof.

E. Location and Size.

1. Attached Signs.

a. Maximum number of flat/projecting signs: two per occupant, or one per building face plus one for each occupancy;

b. Maximum area of flat sign: fifteen (15) square feet per one thousand (1,000) square feet of gross leasable area for the first three thousand (3,000) square feet, with an additional allowance of ten (10) square feet per one thousand (1,000) square feet of gross leasable area thereafter, not to exceed a total of one hundred (100) square feet;

c. Maximum height of flat sign: three feet.

2. Projecting Sign (No More Than One Per Occupant).

a. Maximum area one side: twenty (20) square feet;

b. Maximum height of sign: ten (10) feet;

c. Maximum distance from building face to outer edge of sign: four feet;

d. Minimum height from sidewalk to bottom of sign: eight feet.

3. Suspended Signs.

a. Maximum number of suspended signs: one per occupant;

b. Maximum area each face: nine square feet;

c. Maximum height: one foot, six inches;

d. Minimum height from sidewalk to bottom of sign: eight feet.

4. Awning/Canopy Signage. Signage on any awning or canopy may not exceed 25% of surface area and must comply with all other applicable provisions of this article. The maximum height of the signage is 12 inches.

5. Banners.

a. Total maximum area per banner: forty (40) square feet;

b. Maximum number of banners: one for each building face.

c. Banners in Alleys. A banner which projects above a public alley shall be located not less than ten (10) feet above the alley grade, projecting pole mount must be no less than fourteen (14) feet above alley grade, and banner shall not project more than two feet from the building face.

6. Special Signage. Notwithstanding section 15.148.640, the following special signs are allowed if authorized by a zoning administrator's conditional use permit issued in accordance with article XIV of this chapter: signs with exposed neon tubing, signs with flashing lights, signs with traveling lights on theater marquees or nightclubs, and functionally similar signs (excluding signs with digital-display technology).

7. Office Towers—Attached Signs. Signage on office buildings above the street-wall or building base is allowed subject to the following provisions:

a. Design. The signage must be integral in design to the architectural style of the building.

b. Number. No more than one sign per building face.

c. Materials, Construction and Design. Signs may be constructed of solid metal, marble, granite, ceramic tile or other comparable

materials. Examples of acceptable metal materials are chrome, brass, stainless steel or fabricated and painted sheet metal. Plastic or wood signs are specifically prohibited.

d. Illumination. Signs may be unilluminated or internally illuminated to create a halo back-lighted effect. Internally illuminated signs shall be lighted with neon tubing or light-emitting diodes (LEDs). Lighting shall not produce a glare on other properties in the vicinity, and the source of light shall not be visible from adjacent property or a public street. Internally lit plastic signs are prohibited.

e. Location. Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located. A sign may be located in the “upper signage area.” “Upper signage area” shall be defined as the area bounded by (1) the top of the windows of the tallest floor of the building; (2) the building parapet line; and (3) the two vertical edges of the building face on which the sign is attached. A sign may be located outside the “upper signage area” if in a sign zone approved as part of the building design approval, or in a location approved by the planning director. When deciding whether to approve a location, the director (a) shall consider all of the factors relating to the proposed sign and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the sign; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

f. Maximum Sign Area. A sign located in the “upper signage area” shall not exceed ten (10) percent of that area. The length of sign shall not exceed twenty-five (25) percent of the length of linear building face on which the sign is affixed. The planning director shall determine the maximum size of the following types of signs:

    i. Signs located other than as specified above;

    ii. Signs located on buildings with a unique or unusual architectural design.

g. If not specifically approved as part of the design approval for the building, the following types of signs shall require a zoning administrator’s conditional use permit in accordance with article XIV of this chapter:

    i Signs not located in the “upper signage area,” as defined in subsection E.7.e of this section.

ii Signs which use construction materials other than marble, granite, ceramic tile or individual solid metal letters pursuant to subsection E.7.c of this section.

SECTION 15.

Section 15.148.195 of the Sacramento City Code is amended to read as follows:

15.148.195 TO transit overlay zone.

A. RMX-TO Zone.

1. In the RMX-TO zone, residential uses shall be allowed signs as provided in Section 15.148.110.

2. In the RMX-TO zone, commercial uses shall be allowed signs as follows:

a. One detached sign not exceeding twenty-four (24) square feet in area is allowed for each street frontage of a developed parcel. All detached signs shall be monument type signs. All detached signs shall be located ten (10) feet from any property line and five feet from any driveway in order to provide a clear vision area. The height of the detached sign shall not exceed six feet.

b. One attached sign is allowed for each occupancy. The total aggregate area for all attached signs authorized by this subsection shall not exceed one square foot of sign area for each front foot of building occupancy. The linear footage of an attached sign shall not exceed seventy (70) percent of the linear footage of the occupancy. Attached signs shall be placed flat against the building, on an architectural projection, or attached to the underside thereof, subject to the provisions of Sections 15.148.460 and15.148.470. No height limit is specified for signs placed flat against the wall of a building, or for other attached signs provided all other requirements of this article are met.

c. One additional attached sign that is either projecting or on an architectural projection is allowed for each occupancy. Projecting signs authorized by this subsection shall not exceed a total area of five square feet and shall be located not less than eight nor more than twelve (12) feet above the public right-of-way. Signs on architectural projections authorized by this subsection shall be placed entirely below the architectural projection. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs and signs on

architectural projections shall apply to signs authorized by this subsection.

d. In addition to the signage allowed under subsections (A)(2)(b) and (c) of this section, if a commercial use in the RMX-TO zone is located in a building that is sited at the edge of sidewalk with the on-site parking located to the rear of the building and that maintains general public access to the commercial use from both the sidewalk side of the building and the on-site parking side of the building, then the sign allowance for attached signs for the commercial use shall be applied separately and cumulatively to both the sidewalk face of the building and the rear face of the building facing the on-site parking area.

B. C-2-TO Zone. In the C-2-TO zone, signs shall be allowed as follows:

1. On-site Signs.

a. One detached sign is allowed for each developed parcel not exceeding one square foot of sign area for each lineal foot of street frontage abutting the developed portion of such parcel, provided that:

i. Where a developed parcel has in excess of three hundred (300) feet of street frontage, one additional detached sign may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of such parcel.

ii. Where a developed parcel is allowed to have more than one detached sign under these regulations, the distance between such detached signs on each parcel shall be not less than three hundred (300) feet.

iii. Subject to the provisions of Article IV of this chapter, the total area of all detached signs on each parcel shall not exceed one square foot of sign area for each lineal foot of street frontage of the developed portion of such parcel.

b. The maximum height limit for detached signs shall be thirty-five (35) feet.

c. Except as provided in subsection B.1.d of this section, two attached signs are allowed for each occupancy. Attached signs shall not exceed a total aggregate area of three square feet of

sign area for each front foot of building occupancy. Attached signs may be placed flat against a building, may be projecting or non-projecting signs, and may be located on an architectural projection or attached to the underside of an architectural projection. Any attached sign that projects over a public right-of-way shall not exceed a total area of five square feet and shall be no less than eight feet and no more than twelve (12) feet above the public right-of-way. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs shall apply to projecting signs in the C-2-TO zone.

d. In lieu of the requirements of subsection B.1.c of this section, a building that is sited at the edge of sidewalk with its on-site parking located to the rear of the building and that maintains general public access to the commercial use from both the sidewalk side of the building and the on-site parking side of the building is allowed the following signs on the sidewalk side of the building and the on-site parking side of the building:

i. One attached sign is allowed for each occupancy. The signs may be placed flat against a building, may be projecting or non-projecting signs, and may be located on an architectural projection or attached to the underside of an architectural projection. An attached sign that projects over a public right-of-way shall not exceed a total area of five square feet and shall be no less than eight feet and no more than twelve (12) feet above the public right-of-way. Except as specifically provided otherwise in subsection B.1.b of this section, all of the provisions of this chapter relating to projecting signs shall apply to projecting signs in the C-2-TO zone.

ii. One additional attached sign that is either a projecting sign or a sign on an architectural projection is allowed for each occupancy. Projecting signs authorized by this subsection shall not exceed a total area of five square feet and shall be located not less than eight nor more than twelve (12) feet above the public right-of-way. Signs on architectural projections authorized by this subsection shall be placed entirely below the architectural projection. Except as specifically provided otherwise in this subsection, all of the provisions of this chapter relating to projecting signs and signs on architectural projections shall apply to signs authorized by this subsection.

iii. The total aggregate area of the signs allowed for each occupancy under subsections B.1.d.i and B.1.d.ii of this

section shall not exceed three square feet of sign area for each front foot of building occupancy.

2. Off-site Signs. In the C-2-TO zone, off-site signs shall be subject to the provisions of subsection B of Section 15.148.160.

3. General Provisions Relating to Location.

   a. No sign shall be located nearer than five feet to an interior property line nor shall any sign be located nearer than five feet to any common wall or other point common to two separate occupancies on the same parcel. This regulation, however, shall not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel.

   b. With the exception of off-site signs, a sign may be located within or project into a required front or street sideyard setback area. However, no sign may project into or over an abutting public right-of-way except as otherwise provided in this article. Off-site signs shall be located so as to provide and maintain the same front and street sideyard setbacks as are required for a building on the same parcel.

SECTION 16.

Section 15.148.250 of the Sacramento City Code is amended to read as follows:

15.148.250 Off-site signs and billboards on residentially used property.

Off-site signs and billboards on property used entirely for residential purposes and located in the C-2, C-4, M-1 and M-2 zones are subject to the following regulations:

A. Any off-site sign or billboard existing on such property on April 4, 1970, may be retained, provided that if such sign does not comply with any other applicable provisions of this chapter, the sign shall be subject to the nonconforming and amortization regulations contained in this chapter.

B. No new off-site sign or billboard may be erected after April 4, 1970, on property located in the aforementioned zones as long as such property is used entirely for residential purposes.

SECTION 17.

Section 15.148.260 of the Sacramento City Code is amended to read as follows:

15.148.260 Off-site signs and billboards near residences.

No off-site sign or billboard shall be allowed where such sign faces the front or side yard of any lot within any residential zone, or any lot within any other zone which lot is used entirely for residential purposes, and is located within three hundred (300) feet of such lot line. No off-site sign or billboard shall be located on any vacant lot or parcel of land lying between two residential buildings where such buildings are less than three hundred (300) feet apart.

SECTION 18.

Section 15.148.340 of the Sacramento City Code is amended to read as follows:

15.148.340 Detached signs—Projection over canopy.

A detached sign supported by a sign structure which is imbedded in the ground and independent of a canopy for structural support, may project over a canopy. This section shall not be deemed to allow a detached sign to be located over, in whole or in part, the roof of a building. A detached sign which projects over a canopy shall comply with all other applicable regulations of this chapter.

SECTION 19.

Section 15.148.360 of the Sacramento City Code is amended to read as follows:

15.148.360 Detached signs—Embellishment.

On detached signs the sign structure may extend above the maximum allowable height of the sign for embellishment purposes. Under no circumstances, however, may such extension exceed twenty (20) percent of the maximum allowable height for the sign or include any commercial or non-commercial text, logos, or trademarks.

SECTION 20.

Section 15.148.370 of the Sacramento City Code is amended to read as follows:

15.148.370 Projecting signs—Revocable permit.

All rights and privileges acquired under the provisions of this chapter, permitting the erection or maintenance of signs over sidewalks or public rights-of-way are mere licenses, revocable at any time without compensation with or without cause, by the city council and all such permits shall contain this provision.

If the city council elects to revoke any such license, it shall give notice of such revocation to the permittee or owner of the property on which the sign is situated and the address shown on the permit or, in the case of the owner, at the address shown on the last equalized assessment roll, and shall afford him or her a period of not less than fourteen (14) days within which to remove the sign or to reconstruct it in such a manner that it does not protrude over the public right-of-way.

If the permittee or owner fails to remove the sign within the period prescribed by the council, it shall be removed by the director of building inspections in the manner provided for in Article X of this chapter.

SECTION 21.

Section 15.148.380 of the Sacramento City Code is amended to read as follows:

15.148.380 Projecting signs—Maximum distance of projection.

An attached sign may project over a public right-of-way a distance of not more than four feet, provided, however, no attached projecting sign shall have an over-all horizontal length in excess of nine feet. This regulation shall apply to all attached signs except those placed flat against a building, which are regulated by Sections 15.148.280 and 15.148.460 of this chapter, except as may otherwise be provided in this chapter.

SECTION 22.

Section 15.148.400 of the Sacramento City Code is amended to read as follows:

15.148.400 Projecting signs—Minimum height above sidewalk.

Except as otherwise provided in this chapter, no projecting sign shall be erected, altered, or relocated over a public right-of-way unless the bottom of the sign is ten (10) feet or more above the sidewalk.

SECTION 23.

Section 15.148.450 of the Sacramento City Code is amended to read as follows:

15.148.450 Signs to be designed as integrated architectural features.

In order to encourage and promote a harmonious relationship between buildings and signs, the planning and design commission shall have the authority to issue a conditional use permit in accordance with Article XIV of this chapter, for signs which are designed into and are a part of an integrated architectural feature of a building where the strict application of the provisions of this chapter would otherwise prohibit such signs.

SECTION 24.

Section 15.148.460 of the Sacramento City Code is amended to read as follows:

15.148.460 Signs on architectural projections extending over a public right-of-way.

The following regulations shall apply to signs which are located on or attached to or which are integral parts of an architectural projection which extends over a public right-of-way.

A. No sign attached to or which is an integral part of the face of an architectural projection shall extend above or below the face of such projection.

B. A sign erected on top of an architectural projection shall not exceed a maximum height of two feet above the upper edge of such projection. If directly illuminated, such sign shall be of internal illumination only.

C. A sign may be placed entirely below and may be supported by an architectural projection of a building when such architectural projection is designed to carry the additional weight of such signs. Such signs shall not exceed six feet in length or sixteen (16) inches in height. Such signs shall not project beyond the face of the architectural projection or more than ten (10) feet from the face of the building. Such signs, if illuminated, shall be double-faced signs with a minimum of four inches and a maximum of eighteen (18) inches between faces. No exposed tubing or incandescent lamps are allowed. All such lighting devices shall be protected by acceptable shatter-proof material. Such signs shall be not less than eight feet above the sidewalk, shall be placed perpendicular to the face of the building, and located only at the entrance thereto.

D. No sign may be erected on or attached to an architectural projection in such a manner as to constitute a hazard to firefighters or other emergency responders climbing a ladder placed against such architectural projection.

SECTION 25.

Section 15.148.470 of the Sacramento City Code is amended to read as follows:

15.148.470 Signs located on architectural projections not extending over a public right-of-way.

The following regulations shall apply to signs which are located on, attached to, or are an integral part of an architectural projection which does not extend over a public right-of-way:

A.

1. A sign which is attached to or which is an integral part of the face of an architectural projection may extend a maximum of four feet above or below the face of such projection.

2. A sign erected on top of an architectural projection may not exceed a height of four feet above the upper edge of the fascia of such projection.

3. A sign may be placed below and may be supported by an architectural projection of a building when such projection is designed to carry the additional weight of such signs.

B. Such signs shall not project beyond the face of the architectural projection. Such signs, if illuminated, shall be double-faced signs, with a minimum of four inches and a maximum of eighteen (18) inches between faces. No exposed tubing or incandescent lamps are allowed. All such lighting devices shall be protected by acceptable shatterproof material.

C. Any sign attached to or located on an architectural projection shall be located not less than eight feet above a walkway, surfaced area, or ground level below such sign.

D. No sign may be erected on or attached to an architectural projection in such a manner as to constitute a hazard to firefighters or other emergency responders climbing a ladder placed against such architectural projection.

SECTION 26.

Section 15.148.480 of the Sacramento City Code is amended to read as follows:

15.148.480 Signs located on awnings or canopies.

Signage on any awning or canopy erected and maintained in accordance with Chapter 12.36 of this code may not exceed an area of four square feet; may be painted, placed or installed only on the hanging border of the awning or canopy; and shall comply with all other appropriate provisions of this chapter.

SECTION 27.

Section 15.148.500 of the Sacramento City Code is amended to read as follows:

15.148.500 Moving, relocating or altering signs.

No existing sign may be moved or relocated to any other parcel, building, structure or portion thereof, unless such sign complies in its new location with all other provisions of this chapter, or is altered so as to comply therewith. No existing sign may be moved or relocated on the same parcel, building, structure or portion thereof, unless such sign also complies with all other provisions of this chapter, or is altered so as to comply therewith.

No existing sign may be altered unless such sign, after alteration thereof, complies with all other provisions of this chapter.

SECTION 28.

A. Subsection E of section 15.148.600 of the Sacramento City Code is amended to read as follows:

E. Temporary Signs. Sign that meet the following criteria are exempt "temporary signs":

1. Temporary signs in an R, A, or OB zone.

a. Temporary signs are allowed on any developed or undeveloped parcel in any R, A, or OB zone so long as the cumulative display area of all temporary signs on the parcel does not exceed ten (10) square feet.

b. If a parcel in an R, A, or OB zone is undeveloped, then, in addition to the signs allowed by subsection E.1.a, one

temporary sign that does not exceed 8 feet by 4 feet in dimension and 32 square feet in area is allowed if it is authorized by a sign permit issued under article II of this chapter. Notwithstanding subsection E.5 of this section, the sign may display general advertising, may be up to 8 feet in height, and may be displayed for up to one year from the issuance date of the sign permit. When the permit expires, at least 90 days must pass before another permit for such a sign may be issued.

2. Temporary signs in an SC, HC, C, or M zone.

   a. Temporary signs are allowed on any developed or undeveloped parcel in an SC, HC, C, or M zone so long as the cumulative display area of all temporary signs on the parcel does not exceed fifty (50) square feet.

   b. If a parcel in an SC, HC, C, or M zone is undeveloped, then, in addition to the signs allowed by subsection E.1.b, one temporary sign that does not exceed 18 feet by 8 feet in dimension and 144 square feet in area is allowed if it is authorized by a sign permit issued under article II of this chapter. Notwithstanding subsection E.5 of this section, the sign may display general advertising, may be up to 15 feet in height, and may be displayed for up to one year from the issuance date of the sign permit. When the permit expires, at least 90 days must pass before another permit for such a sign may be issued.

3. A temporary sign may not be located within or over the public right-of-way, except as follows: a temporary sign may be placed in that area of public right-of-way between the face of the street curb and the street side edge of the sidewalk (commonly referred to as the planting strip or the mowing strip) so long as the placement of the sign does not violate any provision of this code, including but not limited to Chapter 12.28 (relating to obstructions to visibility at intersections), Section 12.56.060 (relating to protection of trees), and Section 15.148.620 (relating to traffic hazards); does not violate any other law or regulation; and does not otherwise constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties.

4. A temporary sign may be staked in the ground; may be tacked, pasted, or otherwise temporarily affixed to legally existing fences, structures, and buildings; and may be taped, painted, or otherwise

temporarily affixed to the interior or exterior surfaces of building windows.

5. Except as provided in subsections E.1.b and E.2.b of this section, a temporary sign may not display general advertising, may not be illuminated, may not be a roof sign, may not exceed six feet in height, and may not be displayed on a parcel more than a total of one hundred eighty (180) days in a calendar year.

B. Except as amended by subsection A of this section 28, all provisions of section 15.148.600 remain unchanged and in full effect.

SECTION 29.

A. Subsection A of section 15.148.630 of the Sacramento City Code is amended to read as follows:

A. No sign shall be allowed that is placed on any curb, sidewalk, post, pole, electrolier, hydrant, bridge, tree, or other surface located on public property or over or across any street or public thoroughfare except as may otherwise expressly be authorized by this chapter.

B. Except as amended by subsection A of this section 29, all provisions of section 15.148.630 remain unchanged and in full effect.

SECTION 30.

Section 15.148.650 of the Sacramento City Code is amended to read as follows:

15.148.650 Moving.

Except as otherwise provided in Section 15.148.290 of this chapter, no sign or any other portion thereof shall be allowed that moves or assumes any other motion constituting a nonstationary or fixed condition except for the rotation of revolving prism units in off-site signs or billboards. Revolving prism units may be used if such parts do not exceed a speed of one complete revolution, including the stationary condition of the prisms, in a thirty (30) second period.

SECTION 31.

Section 15.148.680 of the Sacramento City Code is amended to read as follows:

15.148.680 Billboards.

Notwithstanding any contrary provision of this chapter, from and after November 15, 2007, the construction, erection, installation, and use of new billboards are prohibited, subject to the following:

A. This section does not prohibit the city from entering into relocation agreements regarding existing billboards, as authorized by section 15.148.815 and state law.

B. This section does not affect billboards that legally existed on November 15, 2007; were legal when constructed; and are in conformance with all applicable laws. This section also does not affect the city's ability to condemn any existing billboards.

C. This section does not affect billboards constructed on or after November 15, 2007, under a relocation agreement authorized by section 15.148.815 and state law.

SECTION 32.

Section 15.148.770 of the Sacramento City Code is amended to read as follows:

15.148.770 Street improvement projects.

Any sign projecting over a public right-of-way on April 4, 1970, that was subject to removal or relocation at the owner's expense, pursuant to a permit or ordinance of the city, shall be removed by the owner or altered at the owner's expense to comply with the regulations of this chapter if, as the result of, or after completion of a street improvement project, such sign does not or would not comply with the regulations of this chapter.

SECTION 33.

Section 15.148.780 of the Sacramento City Code is amended to read as follows:

15.148.780 Signs for legal nonconforming uses.

Subject to the provisions of this section, signs for a legal nonconforming use as defined in the Planning and Development Code of the city are allowed. Signs for a legal nonconforming use shall be deemed to comply with the provisions of this

chapter if they comply with the sign regulations for the most restrictive zoning district which permits the nonconforming use as an allowed use. Such signs shall be allowed only so long as the nonconforming use is allowed. Any such sign legally existing on April 4, 1970, but which does not comply with the regulations of this chapter shall be deemed to be a nonconforming sign under the provisions of this chapter and shall be subject to alteration or removal in accordance with the provisions of Section 15.148.790 of this chapter. Notwithstanding any provision to the contrary herein, no new or additional detached sign after April 4, 1970, for a nonconforming use shall be allowed. The owner of the property on which the sign is located shall have the primary responsibility for removing the signs required to be removed or altered under this article.

SECTION 34.

Section 15.148.790 of the Sacramento City Code is amended to read as follows:

15.148.790 Alteration or removal of certain nonconforming signs.

A. At no cost to the city, signs existing in 1970 and rendered nonconforming by Ordinance No. 2868 shall be removed, or altered so as to comply with the provisions of this chapter, within the following time limits:

1. Within one year from the effective date of Ordinance No. 2868:

a. Canvas signs, banners, flags, pennants, streamers, bunting and wind signs;

b. “A” frame signs, portable signs on advertising vehicles;

c. Statuary or representative figures used for advertising purposes;

d. Signs emitting sound, odor, or visible matter and exposed neon tubing, incandescent lighting or other artificial lighting or an equivalent effect used for the purpose of outlining a building.

2. Within three years after the effective date of Ordinance No. 2868:

a. Animated signs;

b. Moving signs, except as otherwise provided in Section 15.148.290 of this chapter.

3. Within ten (10) years from the date such signs were erected, or within five years from the effective date of Ordinance No. 2868, whichever occurs last:

a. Off-site signs or billboards in zones where not allowed;

b Off-site signs or billboards in civic improvement districts, in accordance with the provisions of prior code Section 3.12.205;

c. Roof signs except as otherwise provided in Section 15.148.300 of this chapter;

d. Signs in excess of the number specified by Ordinance No. 2868;

e. Sidewalk clocks.

4. Any off-site sign or billboard existing on the effective date of Ordinance No. 2868 which is within six hundred sixty (660) feet of a freeway and the copy of such sign is readily visible by persons traveling on such freeway, shall, without cost to the city, be removed within ten (10) years from the effective date of Ordinance No. 2868 or within three years from the date when the project for the landscaping of a section or sections of a freeway shall have been completed and accepted, whichever is earlier.

B. Off-site signs and billboards existing on October 29, 1981 and rendered nonconforming by Ordinance No. 81-093 may remain. However, the structure of such signs may not be modified or replaced except as otherwise provided in this chapter.

SECTION 35.

Section 15.148.810 of the Sacramento City Code is amended to read as follows:

15.148.810 Signs hereafter rendered nonconforming.

Any sign which becomes nonconforming subsequent to the effective date of this chapter, either by reason of annexation to the city of the territory upon which the sign is located, or the amendment of this chapter, the Planning and Development Code, or other provision of this code so as to render such sign nonconforming shall be subject to the provisions of this article. The period within which such sign must be removed shall commence to run upon the effective date of the annexation, amendment or the date upon which the sign otherwise becomes nonconforming.

SECTION 36.

A. Subsection A of section 15.148.815 of the Sacramento City Code is amended to read as follows:

A. Purpose. The purpose of relocation agreements approved pursuant to this section is to allow for the removal and relocation of existing, nonconforming, off-site signs to new and different locations, and to enable the substitute of off-site signs meeting modern standards for such existing, nonconforming, off-site signs. For purposes of this section, (1) “off-site sign” and its variants includes “billboards”; and (2) “relocation” includes the removal of existing nonconforming, off-site signage and the construction of new replacement off-site signage or alteration of existing off-site signage, subject to compliance with the requirements of this section.

B. Subsection F.4 of section 15.148.815 of the Sacramento City Code is amended to read as follows:

4. Reduction in Number of Signs and Square Footage. No relocation agreement shall be approved unless the relocation agreement results in~~:~~ (a) a net reduction in the number of off-site signs lawfully allowed; and (b) a net reduction in the total square footage of off-site signage lawfully allowed.

C. Except as amended by subsections A and B of this section 36, all provisions of section 15.148.815 remain unchanged and in full effect.

SECTION 37.

Section 15.148.820 of the Sacramento City Code is amended to read as follows:

15.148.820 Removal of signs by director of building inspections.

The director of building inspections shall remove or cause to be removed any abandoned, dangerous, defective, illegal, prohibited, nonconforming sign subject to removal under the provisions of Article IX of this chapter which has not been removed within the time period specified in such Article IX, or any other sign maintained in violation of the provisions of this chapter. The director of building inspections shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within ten (10) days the sign shall be removed in accordance with the provisions of this article.

For signs described under the provisions of subsection A of Section 15.148.790 of this chapter the notice shall be mailed or given to the occupant of the property or their employee or representative upon which the sign is located.

For all other signs the notice shall be mailed to the owner of the property on which the sign is located as shown on the last equalized assessment roll. If known, the notice may also be mailed or delivered to the owner of the sign and the occupant of the property.

Any person having an interest in the sign or the property may appeal the determination of the director of building inspections ordering removal or compliance by filing a written notice of appeal with the city planning director within ten (10) days after the date of mailing the notice, or ten (10) days after receipt of the notice if the notice was not mailed. The appeal shall be heard by the planning and design commission or a committee of the planning and design commission which the planning and design commission is authorized to create by resolution.

Such committee, if created, shall be called the sign code board of appeals.

Notwithstanding the above, in cases of emergency, the director of building inspections may cause the immediate removal of a dangerous or defective sign without notice.

SECTION 38.

Section 15.148.850 of the Sacramento City Code is amended to read as follows:

15.148.850 Freeway—Off-site signs and billboards.

After April 4, 1970, no new or additional off-site signs or billboards shall be erected, nor shall any existing off-site sign or billboard be altered or relocated, within six hundred sixty (660) feet of the exterior right-of-way line of any portion of a freeway or of a route for a freeway which has been adopted by the State Highway Commission, if the copy of such off-site sign or billboard is or would be visible by persons traveling on such freeway or proposed freeway.

SECTION 39.

A. Subsection A.4 of section 15.148.860 of the Sacramento City Code is amended to read as follows:

4. Notwithstanding the above, motels, hotels, restaurants and gas stations located in the C-2, C-3, C-4, SC commercial zones, M-1 and M-2 industrial zones are allowed to have the signage allowed in the highway commercial zone due to the freeway services these uses provide.

B. Subsection C of section 15.148.860 of the Sacramento City Code is amended to read as follows:

C. Attached Signs in All Zones.

1. Attached signs shall have a maximum area of one square foot for each front foot of first floor building occupancy; provided that in no event shall the total area of attached signs visible by persons traveling on the freeway exceed two hundred (200) square feet for each occupancy.

2. Attached signs shall have a maximum height of twenty (20) feet measured from grade level.

3. Attached signs for office buildings shall be allowed as follows:

a. Materials, Construction and Design.

i. Signs may be constructed of solid metal individual letters, marble, granite, ceramic tile or other comparable materials. Examples of acceptable metal materials are chrome, brass, stainless steel or fabricated sheet metal. Plastic or wood signs are specifically prohibited.

ii. Individual solid metal letters shall be applied to the building face with a nondistinguishable background. Letters shall be pegged-out from the building face at least one and one-half inches and be reverse pan channel construction in one of the following:

(A) Fabricated aluminum letters with a polished chrome plated finish in fourteen (14) gauge aluminum with three inch returns; or

(B) Fabricated polished brass letters with clear lacquer finish in fourteen (14) gauge brass plate with three inch returns; or

(C) Fabricated sheet metal letters painted duranodic bronze #313 or semi-gloss enamel in fourteen (14) gauge sheet metal with three inch returns.

b. Number. One sign per building of freeway frontage above twenty (20) feet in height. If the building has multiple freeway frontage, the applicant/owner may select which building face on which to attach the sign.

c. Illumination.

i. Letters may be internally illuminated to create a halo back-lighted effect or unilluminated. Internally illuminated letters

shall be lighted with white neon tubing and thirty (30) milliamperes transformers.

ii. Lighting shall not produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or a public street.

iii. Internally lit plastic signs are prohibited.

d. Location.

i. Signs must be attached to and parallel to a building face. A sign may not project above the wall on which it is located.

ii. Signs may be located anywhere on face of building subject to subsection C.3.d.iii of this section and may be oriented toward the freeway.

iii. A sign may be located in the “upper signage area.” “Upper signage area” shall be defined as the area bounded by: (1) the top of the windows of the tallest floor of the building; (2) the building parapet line; and (3) the two vertical edges of the building face on which the sign is attached.

e. Maximum Signage. A maximum area of one square foot for each front foot of first-floor building occupancy provided that in no event shall the total area of an attached sign exceed one hundred fifty (150) square feet.

f. Review and Approval. Proposed signs shall be subject to review and approval by the planning director prior to issuance of building and/or sign permits. When deciding whether to approve a sign, the director (a) shall consider all of the factors relating to the proposed sign and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the sign; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

4. Attached signs for shopping centers shall be allowed as follows:

Signage for shopping center uses shall comply with subsections C.3.d and C.3.e of this section. For the purpose of this section “shopping center” shall be defined as a retail commercial business consisting of three or more retail tenants having shared parking facilities. In addition, the shopping center signage shall comply with the following standards:

a. Maximum Signage. Attached signs shall have a maximum area of one square foot for each front foot of first-floor building occupancy provided that in no event shall the total area of attached signs visible by persons travelling on the freeway exceed two hundred (200) square feet.

b. Number of Signs. One sign per building and no more than two signs per site to be located above twenty (20) feet in height.

c. Prohibited Signs. No attached sign shall in any manner identify a specific product(s) to be sold on the site. Sign may consist of a company logo and/or a company name only.

d. Materials and Design. All attached signs shall be constructed in a manner which is compatible with the design and materials of the structure on which it is to be affixed.

e. Review and Approval. Proposed signs shall require a zoning administrator's conditional use permit pursuant to chapter17.808 of this code.

C. Except as amended by subsections A and B of this section 39, all provisions of section 15.148.860 remain unchanged and in full effect.

SECTION 40.

Section 15.148.870 of the Sacramento City Code is amended to read as follows:

15.148.870 Neighborhood signs.

In any zone, a sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract sign provided a conditional use permit has been granted by the zoning administrator in accordance with article XIV of this chapter.

SECTION 41.

Section 15.148.880 of the Sacramento City Code is deleted.

SECTION 42.

Section 15.148.890 of the Sacramento City Code is deleted.

SECTION 43.

Section 15.148.900 of the Sacramento City Code is amended to read as follows:

15.148.900 Construction-site signs.

In any zone, one unlighted sign per development not to exceed thirty-two (32) square feet in area, may be placed on the lot or attached to the outside of a building during its construction period.

SECTION 44.

Section 15.148.910 of the Sacramento City Code is amended to read as follows:

15.148.910 Permanent window signs.

Except in the R and A zones, for each ground floor occupancy of a building not more than two permanent signs may be painted on or otherwise displayed from the inside surface of any window, showcase or other similar facility. Such signs shall be in addition to those signs allowed under the other provisions of this chapter. The total area of such signs, however, shall not exceed a maximum sign area of four square feet.

SECTION 45.

Section 15.148.920 of the Sacramento City Code is deleted.

SECTION 46.

Section 15.148.940 of the Sacramento City Code is amended to read as follows:

15.148.940 Special sign districts—Proceeding initiated by planning and design commission.

As an alternative to the method of creating a special sign district provided in Section 15.148.930 of this chapter, the planning and design commission may, on its own motion, conduct a public hearing on a proposed sign district and, at the conclusion of the hearing, may by a two-thirds vote of its members adopt a resolution stating its intent to recommend to the city council that a specific area of the city be designated as a special sign district. The planning and design commission shall notify all property owners within the boundaries of the proposed special sign district, as shown on the last equalized assessment roll, by mail at least ten days before the hearing. If such a resolution is so adopted, the city

council may give notice and hold a hearing on the proposed sign district in accordance with the procedure provided by Section 15.148.930 of this chapter as if the owners of sixty (60) percent or more of the street frontage within the proposed district had petitioned the planning and design commission for the formation of the proposed district.

SECTION 47.

Section 15.148.990 of the Sacramento City Code is amended to read as follows:

15.148.990 Generally.

When the strict application of the provisions of this chapter would result in unnecessary hardship or a result inconsistent with the general purposes of this chapter, a variance from the provisions of this chapter may be granted in accordance with the provisions of this chapter.

SECTION 48.

Section 15.148.1010 of the Sacramento City Code is amended to read as follows:

15.148.1010 Variance powers—Planning and design commission.

The planning and design commission shall have authority to grant a variance from the provisions of this chapter, except those pertaining to sign specifications set forth in Article V of this chapter.

SECTION 49.

Section 15.148.1030 of the Sacramento City Code is amended to read as follows:

15.148.1030 Use variance.

No “use variance” shall be granted. A “use variance” is one which permits a particular type of sign to be located in a zone in which it is prohibited by this chapter.

SECTION 50.

A. Subsection A of section 15.148.1040 of the Sacramento City Code is amended to read as follows:

A. That exceptional or extraordinary circumstances or conditions apply to the case referred to in the application that do not apply generally in the same district and the enforcement of the regulations of this chapter would have an unduly harsh result upon the utilization of the subject property;

B. Except as amended by subsection A of this section 50, all provisions of section 15.148.1040 remain unchanged and in full effect.

SECTION 51.

Section 15.148.1050 of the Sacramento City Code is amended to read as follows:

15.148.1050 Fee.

A fee as established in the city's fee and charge report shall be paid upon the filing of each application for a variance from the provisions of this chapter, except that no fee shall be required for a variance from the provisions of Article V of this chapter.

SECTION 52.

Section 15.148.1060 of the Sacramento City Code is amended to read as follows:

15.148.1060 Hearing.

A. A variance application shall be considered at a public hearing by the zoning administrator, planning and design commission, or the construction codes advisory and appeals board where variances from the provisions of Article V of this chapter are requested. The zoning administrator, planning and design commission or the construction codes advisory and appeals board may attach conditions to the granting of any variance when, in its judgment, such conditions are necessary or desirable to accomplish the purpose of this chapter. The decision to grant or deny a variance or to impose conditions on a variance may not be based on the content of messages except to the extent needed to comply with federal or state law.

B. Except to the extent that the terms of this article conflict therewith the procedural requirements for any hearing before the zoning administrator, planning and design commission and city council required by the provisions of this article shall be governed by the provisions of chapter 17.812.

C. Written notice of the hearing shall be given as specified in chapter 17.812 of this code.

SECTION 53.

Section 15.148.1070 of the Sacramento City Code is amended to read as follows:

15.148.1070 Authority for conditional use permits.

Where a conditional use permit is authorized or required by this chapter, such permit may be granted at the discretion of the planning and design commission. It is not an automatic right of any applicant. The commission shall consider all the factors relating to the proposed sign and whether such sign will adversely affect the public health, safety and welfare and whether the application complies with the statements contained in Section 15.148.010 relating to the purpose of this chapter.

SECTION 54.

Section 15.148.1110 of the Sacramento City Code is amended to read as follows:

15.148.1110 Hearing.

A. A conditional use permit application shall be considered at a public hearing by the zoning administrator or planning and design commission. The zoning administrator or planning and design commission may attach conditions to the granting of any conditional use permit when in its judgment, such conditions are necessary or desirable to accomplish the purpose of this chapter.

B. Except to the extent that the terms of this chapter conflict therewith the procedural requirements for any hearing before the zoning administrator, planning and design commission and city council required by the provisions of this chapter shall be governed by the provisions of chapter 17.812.

C. Written notice of the hearing shall be given as specified in chapter 17.812.

D. The decision to grant or deny a conditional use permit or to impose conditions on a conditional use permit may not be based on the content of messages except to the extent needed to determine legality under federal or state law.

E. Before granting a conditional use permit, the zoning administrator or the planning and design commission shall consider all of the factors relating to the proposed sign and, based on the evidence submitted, make the following findings, as applicable:

1. The proposed sign will not produce adverse spillover effects (glare, flashing, etc.) on other nearby land uses.

2. The sign is architecturally compatible, in terms of comparative scale and scope, with building heights in the existing neighborhood.

3. The sign does not impose a foreign or inharmonious element to the existing skyline.

4. The location and placement of the sign will not endanger motorists or pedestrians.

5. The sign will not materially obstruct any prominent view of a structure or facade of historical or architectural significance.

6. The sign will not materially obstruct views of users of adjacent buildings to side yards, front yards, or open space.

7. The sign will not adversely affect the visual quality of a public open space as a public recreation facility, square, plaza, courtyard, or other similar use.

8. The sign's lighting will not cause hazardous or unsafe driving conditions for motorists.

SECTION 55.

Section 15.148.1150 of the Sacramento City Code is amended to read as follows:

15.148.1150 Hearing procedure.

To the extent that the provisions of this chapter are not inconsistent therewith, the procedural requirements of chapter 17.812 of this code govern any hearing required by this chapter. When deciding to affirm, modify, or reverse the action or decision appealed, the planning director, the planning and design commission, and the city council shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

SECTION 56.

Section 15.148.1170 of the Sacramento City Code is amended to read as follows:

15.148.1170 Generally.

The following words and phrases when used in this chapter shall be construed as defined in this section:

"Animated sign" means any sign which is designed and constructed to give a message through a sequence of progressive changes of parts or lights or degree of lighting.

"Architectural projection" means a marquee, porch, canopy or other similar architectural projection.

"Attached sign" means any sign which is fastened, attached, connected or supported in whole or in part by a building, or structure other than a sign structure which is supported wholly by the ground.

"Billboard" means a permanent sign structure that is in a fixed location and is used, in whole or part, for general advertising for hire.

"Business day" means any day the city's offices located at 300 Richards Boulevard, Sacramento, California, are open to the public.

"Detached sign" means any sign not supported in whole or in part by a building, or structure other than by a sign structure which is supported wholly by the ground.

"Digital billboard" means a billboard or other off-site sign that uses digital-display technology.

"Directly illuminated sign" means any sign designed to provide artificial light directly or through transparent or translucent material from a source of light within or on such sign, including, but not limited to, neon and incandescent lamp signs.

"Display area" means the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition that forms an integral part of the display and is used to differentiate the sign from the wall or background against which it is placed, excluding the necessary supports or uprights on which the sign is placed. Where a sign has two or more display faces, the area of all faces will be included in determining the area of the sign, except that only one face of a double-faced sign will be considered in determining the display area, provided that both faces are parallel and the distance between faces does not exceed two feet. Further, where a sign consists only of individual letters, numerals, symbols, or other similar

components and is painted on or attached flat against the wall of a building, and where the individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign will be the sum of the areas of the squares or rectangles surrounding each individual sign component.

“Establishment” means any legal use of land, other than long-term-residential uses, that involves the use of structures subject to the Sacramento City Building Code. Examples of an “establishment” are businesses, factories, farms, churches, schools, hospitals, hotels, motels, offices, and libraries, but “establishment” does not include single-family homes, mobile homes, residential apartments, residential-care facilities, or residential condominiums. A multi-unit housing development is an “establishment” while under construction, but an individual unit within such a development is not an “establishment” after a certificate of occupancy has been issued or a full-time residency begins.

“Flashing sign” means an illuminated sign which exhibits changing light or color effect by blinking or any other such means so as to provide a nonconstant illumination.

“Freeway” means a highway, in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands, or in respect to which such owners have only a limited or restricted right or easement of access, the precise route for which has been determined and designated as a freeway by an authorized agency of the state or a political subdivision thereof. The term includes the main traveled portion of the traffic way, all land situated within the right-of-way, and all ramps and appurtenant land and structures.

“Front footage of building occupancy” means a single lineal dimension measured horizontally along the front of a building which defines the limits of a particular occupancy at that location.

“General advertising” and “general advertising for hire” mean the displaying of messages that advertise or promote the establishments, activities, or causes of others, typically for a fee or other consideration.

“Height of sign” means the vertical distance measured from the adjacent street grade or upper surface of the nearest curb of a street other than an elevated roadway, whichever permits the greatest height, to the highest point of such sign.

“Indirectly illuminated sign” means a sign whose illumination is derived entirely from an external artificial source which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.

“Landscaped freeway” means a section or sections of a freeway which is now, or hereafter may be, improved by the planting of at least one side of the freeway right-of-way with lawns, trees, shrubs, flowers or other ornamental vegetation which shall require reasonable maintenance.

“Monument sign” means a sign which is erected with its base on the ground or on a support substantially equivalent in width and depth to the base of the sign; which incorporates into its design the design and building materials of the building and structures on the same premises that the sign serves, and which does not exceed twelve feet in height.

“Moving sign” means any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical, electronic, or kinetic means, including intermittent electrical pulsations, or by actions of wind currents.

“Multiple family structure” means any residential structure containing three or more living units.

“Nonconforming sign” means an existing sign legally existing at the time of the effective date of this chapter which does not conform to the provisions of this chapter.

“Occupancy” means a separate use of property carried on at all or a portion of a building parcel.

“Off-site sign” means any sign that (a) is used to display messages other than general advertising for hire and (b) is not located on the premises of the message sponsor.

“Old City” means that area of the city of Sacramento bounded by the Southern Pacific main line railroad levee on the north, the Sacramento River on the west, Broadway on the south, and Alhambra Boulevard on the east. The Old City shall also include all parcels of property abutting on the east boundary of Alhambra Boulevard and the south boundary of Broadway.

“On-site sign” means a sign that (a) directs attention to an establishment or activity conducted on, or to a product, service, or entertainment sold or offered on, the same premises as those upon which the sign is maintained; and (b) does not display general advertising for hire.

“Parcel” means a parcel of land shown on a subdivision map, record of survey map, parcel map, or a parcel described by metes and bounds which constitutes one development site whether composed of a single unit of land or contiguous units under common ownership.

“Portable sign” means any sign not permanently affixed to the ground or a structure on the premises it is intended to occupy.

“Projecting sign” means any sign which is located, in whole or in part, in or over the right-of-way of any street, sidewalk, or alley, or other public thoroughfare. A projecting sign shall also include any sign affixed to or part of a marquee, canopy, or vestibule where such sign is located in or over the street right-of-way.

“R zone” means an R-1, R-1A, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-5, RMX, and RO zone as defined in the Planning and Development Code.

“Roof sign” means any sign or portion thereof located on, or extending over the roof of a building and either supported by the roof or by an independent structural frame. A sign which is attached flat against the wall of a penthouse or other similar roof structure which is part of the enclosed floor area of the building shall not be considered a roof sign.

“Rotating sign” means any sign or portion thereof which physically revolves about an axis.

“Setback area” means the open space area defined in the Planning and Development Code under the term yard, and, where applicable, includes the definitions of yard, rear; yard, front; and yard, side; as defined.

“Sign” means and includes every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space erected or maintained in view of the observer thereof for identification, advertisement or promotion of the interests of any person, entity, product, or service.

“Street frontage” means the length of a lot or parcel of land along or fronting on a street or other principal thoroughfare but not including such length along an alley, watercourse, railroad right-of-way or limited access roadway or freeway.

“Swinging sign” means a sign that is supported by cables against movement due to wind in such a way that, in the event of an emergency such cables may be cut, and the sign swung back against the building and in such a position will continue to be supported by the building with no danger of falling.

“Unilluminated sign” means a sign not illuminated either directly or indirectly.

“Wind sign” means any sign or portion thereof or series of signs, banners, flags or other objects designed and fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

SECTION 57.

Ordinance No. 2007-079 is repealed in its entirety.