



# CITY OF LODI

# COUNCIL COMMUNICATION

**AGENDA TITLE:** Public Hearing to consider the Planning Commission's recommendation that amendments be made to the portion of Title 17, "Zoning Ordinance" dealing with "On-Premise Signs."

**MEETING DATE:** October 18, 1995

**PREPARED BY:** Community Development Director

**RECOMMENDED ACTION:** That the City Council conduct a Public Hearing to consider the Planning Commission's recommendation that amendments be made to the portion of Title 17, "Zoning Ordinance" dealing with "On-Premise Signs."

**BACKGROUND INFORMATION:** Over the past year, the Planning Commission has worked with staff and members of the public to develop ways to improve the City's Sign Ordinance. The goal was to make the ordinance easier to use, to clarify ambiguities and to address issues that have created problems in the past. A number of work sessions and public hearings have been conducted over the past year to discuss ideas and resolve differences.

The Planning Commission made two basic decisions. First, it was decided that the revisions to the Sign Ordinance would only affect on-premise signs. Off-premise signs (billboards) would be dealt with separately at a later date. Second, it was decided that once the design standards for the Downtown Revitalization project are completed, the Planning Commission would consider a special sign criteria for the Downtown.

Major changes proposed by the new Sign Ordinance include:

1. A definition section to make the ordinance more easier to understand;
2. Changes in the text for free-standing signs to clarify the language and to try to improve the scale and appearance of free-standing signs;
3. Makes provisions for portable (A-frame type) signs;
4. Makes provisions for temporary signing and decorations at automobile dealerships; and
5. Establishes a process for the removal of abandoned signs.

The proposed ordinance will continue to permit every business or institution an adequate amount of signing while at the same time, improving the overall appearance of the City.

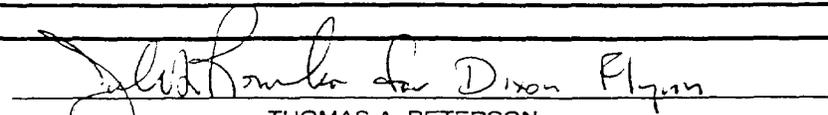
**FUNDING:** None

  
 James B. Schroeder  
 Community Development Director

JBS/lw

Attachment

APPROVED: \_\_\_\_\_

  
 THOMAS A. PETERSON  
 City Manager



STAFF REPORT AND RECOMMENDATIONS FOR  
PROPOSED ON-PREMISE SIGN ORDINANCE:  
OCTOBER 18, 1995

**BULLET SUMMARY:** At issue for this public hearing is the on-premise portion of the sign ordinance. At the Planning Commission meeting of September 11, 1995 the Commission held a public hearing to review the proposed draft. This was the fourth meeting and the second public hearing held on the issue in the past five (5) months. There has been considerable discussion of the sign ordinance both by interested members of the public and by staff. At this time, the Planning Commission is recommending that the City Council adopt the proposed draft of the on-premise sign ordinance as presented.

**BACKGROUND INFORMATION AND JUSTIFICATION:** One of the main reasons for revising the City's sign ordinance was to streamline the document making it more usable. The format of the ordinance was changed to give the overall document a more uniform appearance and to aid readability. The current sign ordinance is approximately 40 years old and is deficient in several important areas which can lead to misinterpretation and make enforcement difficult.

Recently, the Planning Commission and City Council have been asked to resolve questions regarding the intent and interpretation of the sign ordinance. Trying to answer such questions, often caused by misinterpretation of the ordinance, on a case by case basis, is inefficient for both the City Council and planning staff. Staff is hopeful that the proposed ordinance, if adopted, will address and correct such problems in the future.

Also, in light of the recent efforts focused on the Downtown and Cherokee Lane, a revised sign ordinance could be a significant first step towards revitalization. In particular, abandoned or derelict signs and other hazardous or unsightly signs could be brought under the control of the Planning Department. Some examples of signs that would be regulated under the proposed draft are listed on Attachment A. The majority of the signs are located on Cherokee Lane and Kettleman Lane. City Council members are encouraged to examine these signs first hand prior to the meeting on October 18.

Finally, staff feels that the on-premise sign ordinance needs to be updated in order to give Lodi citizens an adequate document. The City is in need of a sign ordinance which is complete and easy to understand but still allows businesses to have generous advertising and protects the aesthetic quality of the City.

As stated by Freedman, Tung, and Bottomley; revising land use, parking, signage, and design policies are important to support the goals of a revitalization strategy. If a revised sign ordinance is an important part of the strategy for revitalizing the Downtown and Cherokee Lane areas, then the same revised ordinance can have similar benefits in other areas of the City. In addition, adopting this ordinance now will not compromise the City's ability to adopt, when necessary, separate sign regulations for the Downtown and for the Cherokee Lane corridor.

**PROPOSED CHANGES:** Several of the proposed changes are intended to provide a sound basic framework for the ordinance. These sections were drafted in conjunction with the City Attorney's office and are either missing from the current ordinance or do not adequately address the subject.

1. A definitions section has been added; Section 17.63.040, page 2 of the proposed draft.
2. Provisions allowing for the continuation of use of lawful on-premise signs have been added; Section 17.63.070, page 4 of the proposed draft.
3. A concise listing of exempted signs has been added; Section 17.63.110, page 5 of the proposed draft.
4. A concise listing of permitted signs has been added; Section 17.63.120, page 6 of the proposed draft.
5. A section regulating abandoned or deteriorated signs has been added; Section 17.63.130, page 6 of the proposed draft.
6. Provisions for regulating the annexation to the City of non-conforming signs have been added; Section 17.63.190, page 7 of the proposed draft.

Staff is proposing the remaining changes in response to past experience and difficulties in dealing with the ordinance, as well as to input received at the recent public hearings. The proposed changes are listed below and are also discussed in greater detail on Attachment B. For comparison purposes, a copy of the current Chapter 17.63, Signs, is attached at the end of this packet.

- I. Maximum permitted size of signs.
- II. Percentage of shopping center identification sign devoted to tenant identification.
- II. Calculation of permitted freestanding signs.
- IV. Building mounted signs exceeding roof line.
- V. Freestanding signs in the R-CP zone.
- VI. Portable signs.
- VII. Automobile Dealerships.

**NOTE TO COUNCILMEN:** As you know, the proposed revision of the City's sign ordinance has been an issue for several years. It is a complex issue which requires the examination of many definitions and regulations. In order to better prepare for the upcoming City Council meeting on October 18th, staff is providing Council members the opportunity to review and comment on the proposed draft prior to the meeting date. If there are any questions or concerns you would like to have addressed at the meeting, please contact Eric Veerkamp in the Planning Department or John Luebberke in the City Attorney's office. Staff will then have the opportunity to prepare an adequate response to each question before the meeting.

**Attachment A**  
Examples of Lodi Signs

<b>Property Address</b>	<b>Name of Business</b>	<b>Zone</b>	<b>Sign in Question</b>	<b>Reason for addressing</b>
521 N. Cherokee	S.J Auto Service	C-2	Freestanding pole sign (without advertising frame)	Sign no longer advertises a legitimate business (currently no standard to regulate such a sign)
230 N. Cherokee	Burger King	C-2	Freestanding pole logo sign	Sign too large too close to the ground (currently no standard to regulate such a sign)
40 S. Cherokee	Geweke Ford Used Cars	C-2	Banners and pennants	Currently unregulated
111 S. Cherokee	Howard's Barber Shop	C-2	A-frame, sandwich board (freestanding) sign	Currently unregulated
200 S. Cherokee	Lodi Auto Parts	C-2	Painted window sign	Excessive signage, "permanent" temporary sign (currently unregulated)
440 E. Kettleman	Fisherman's Friend	C-2	Building (roof) mounted sign	Unsightly, could become problematic
245 E. Kettleman	Fairchild Insurance (and other businesses in center)	C-2	A-frame, sandwich board(s) (freestanding signs)	Unsightly (currently unregulated)

**Attachment A**  
Examples of Lodi Signs

<b>Property Address</b>	<b>Name of Business</b>	<b>Zone</b>	<b>Sign in Question</b>	<b>Reason for addressing</b>
410 W. Kettleman	Golden Ox Restaurant	C-S	Painted and banner signs	Excessive signage, "permanent" temporary signs (currently unregulated)
420 W. Lodi	Grand Auto	C-1	Window signs	Excessive signage (currently unregulated)
126 W. Turner	Ken's Auto Service	P-D	Freestanding pole sign (without advertising frame)	Sign no longer advertises a legitimate business (currently no standard to regulate such a sign)

## Attachment B

### I. MAXIMUM PERMITTED SIZE OF SIGNS

<u>Zone</u>	<u>Wall Mount</u>		<u>Center Identification</u>		<u>Freestanding</u>	
	<i>Existing ordinance</i>	<i>Proposed ordinance</i>	<i>Existing ordinance</i>	<i>Proposed ordinance</i>	<i>Existing ordinance</i>	<i>Proposed ordinance</i>
R-CP	200 sq. ft.	200 sq. ft.	NA	NA	200 sq. ft.	200 sq. ft.
C-S	200 sq. ft.	200 sq. ft.	600 sq. ft.	400 sq. ft.	NA	NA
C-1	300 sq. ft.	200 sq. ft.	300 sq. ft.	400 sq. ft.	300 sq. ft.	400 sq. ft.
C-2; M-1; M-2	480 sq. ft.	200 sq. ft.	300 sq. ft.	400 sq. ft.	480 sq. ft.	400 sq. ft.

Staff is proposing smaller maximum sign sizes in some zones. The primary reason for this is to unify the ordinance across all zones with a consistent and adequate standard. For example, staff feels that the current allowance of 480 square feet (or twice the size of a large billboard) for a wall mounted sign in the General Commercial and industrial zones is too large. Likewise, an allowance of 600 square feet for a shopping center identification sign is too large. Staff is also proposing that some maximum sign sizes be increased.

### II. SHOPPING CENTER IDENTIFICATION SIGNAGE

<u>Zone</u>	<u>Existing ordinance</u>	<u>Proposed ordinance</u>
R-CP	NA	NA
C-S	100 sq. ft. of 600 sq. ft. total	Minimum of 50 % of total (400 sq. ft.)
C-1	100 sq. ft. of 300 sq. ft. total	Minimum of 50 % of total (400 sq. ft.)
C-2; M-1; M-2	100 sq. ft. of 300 sq. ft. total	Minimum of 50 % of total (400 sq. ft.)

The rationale behind allowing a larger percentage of the total allowable sign area for individual tenant identification is that the signs for individual businesses should be large enough to be seen by passing motorists. The current regulations do not permit large enough individual tenant identification signs.

## Attachment B

### III. CALCULATION OF PERMITTED FREESTANDING SIGNS

<u>Zone</u>	<u>Existing ordinance</u>	<u>Proposed ordinance</u>
R-CP	no restrictions other than max. size	15 sq. ft. per each additional foot in height
C-S	no restrictions other than max. size	14 sq. ft. per each additional foot in height
C-1	no restrictions other than max. size	14 sq. ft. per each additional foot in height
C-2; M-1; M-2	no restrictions other than max. size	14 sq. ft. per each additional foot in height

In attempting to address the problem of large signs being built too close to the ground, staff is proposing some changes to the way in which we calculate freestanding signs. Freestanding signs up to ten (10) feet tall must be a monument sign and cannot exceed 50 square feet. This 50 square feet then becomes the base allowance for signs taller than 10 feet. Signs 11 feet tall or taller in the R-CP zone, are allowed 15 square feet of additional sign area per each additional foot in height up to the maximum height of 20 feet. In the other commercial zones and industrial zones, the allowance is 14 feet per each additional foot in height, up to the maximum of 35 feet.

In commercial zones C-S; C-1, C-2, and the industrial zones, a new standard for monument signs is being proposed. Whether the freestanding sign is for an individual business or for a shopping center, if it is under 10 feet tall, the sign shall be a monument sign with a maximum size of 50 square feet.

### IV. BUILDING MOUNTED SIGNS EXCEEDING ROOF LINE

In all zoning districts, building mounted signs shall not extend above the height of the building on which they are mounted nor shall they be mounted on the roof.

Currently, this standard is only applied in the C-S, Commercial Shopping zone.

### V. FREESTANDING SIGNS IN THE R-CP ZONE

In the R-CP zone, freestanding signs of any legal height may be either a monument type or a pole type. While in the other commercial and industrial zones, monument signs are mandatory if a sign is less than 11 feet tall, pole signs shorter than 11 feet would be allowed in the R-CP zone.

## Attachment B

The calculation for signs in this zone, one square foot of sign area for each two (2) lineal feet of street frontage, usually produces small atypical signs. Staff believes that such signs whether they are a pole sign or a monument sign are well suited to the types of businesses found in the R-CP zone. This flexibility in the R-CP zone should yield a better mix of aesthetically pleasing signs without the problem of large signs too close to the ground as in the other commercial and industrial zones.

### VI. PORTABLE SIGNS:

Staff is proposing a new definition for “portable” signs. Portable signs include A-frame, sandwich board signs and other such lightweight, movable signs. The definition for “temporary” signs has been redrafted excluding portable signs. The Planning Commissioners supported the contention of business owners that portable signs were an important and cost effective method of advertising and that they helped increase their business activity. Staff is proposing that portable signs be subject to a no-fee permit, to be issued by the Planning Department, similar to the fence permit we currently issue.

However, while the Commissioners wanted to allow businesses to use portable signs, they felt that the liberal use of banners, flags, streamers, and other signs defined as “temporary” detracted from the community’s appearance and contributed to visual clutter. For this reason, the use of temporary signs, except for their use at car dealerships, is prohibited in the proposed draft. The two new definitions and a new section specifying the restrictions on portable signs are listed below:

- ⇒ “Portable Sign”: means a sign made of wood or other lightweight materials incorporating a frame or other support structure independent of the building, a sign designed primarily to display text or other graphics, a sign placed or displayed on the premises at finished grade in such a way that it can be easily moved from place to place.
- ⇒ “Temporary Sign”: means a sign made of paper, paint, cardboard, cloth, plastic, or similar material, which may or may not be intended to display text or graphics, a sign which is suspended, hung, affixed, or otherwise displayed so that it is easily moved or removed. Examples of temporary signs are pennants, banners, balloons, streamers, and similar devices. Signs placed in the back of a pickup truck or similar displays shall be included in this category.
- ⇒ A. One portable sign not exceeding a maximum of 24 square feet or a height of four (4) feet shall be allowed per establishment in addition to other permitted signs. Such sign shall be placed within ten (10) feet of an exterior wall of the business *except* that under no circumstances shall the sign be placed in the public right-of-way. Portable signs shall be unlit and shall not have attached to them any balloons, streamers or other extraneous materials. Portable signs shall only be displayed during regular business hours.

## Attachment B

B. No portable sign shall be erected without first obtaining a Portable Sign Permit in accordance with the Director's requirements.

### VII. AUTOMOBILE DEALERSHIPS

Staff is proposing that the ordinance include a new Article covering the use of signs on car lots. A local dealership representative expressed his opinion at one of the public hearings that the regular use of streamers, flags, pennants, and other temporary signs is standard practice and that their use is necessary to identify car lots as such. The Planning Commission then discussed the appearance of automobile dealerships and whether or not their liberal use of signs is unsightly or just a recognized part of operating a car dealership. Commission members decided that special consideration should be granted for car dealers in Lodi and that the best way to address the issue was to include a new article regulating car lots exclusively.

Most of the regulations in Article VII, Automobile Dealerships, are the same as those for the General Commercial zone. One difference is that car dealerships would be allowed to use temporary signs, as specified in the definitions section, that other establishments in the City will be prohibited from using. Car lots will continue to be able to utilize the pennants, flags, streamers, and other types of signs that they currently use. One exception is balloons and other inflatable sign devices. These devices would be uniformly prohibited throughout the City.

The other difference is a new provision for a price sign no larger than four (4) square feet allowed in the window of each car for sale. Other regulations covering types of permitted signs, placement of such signs, etc. are the same as the General Commercial zone.

ORDINANCE NO. 1622

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
REPEALING IN ITS ENTIRETY MUNICIPAL CODE TITLE 17 CHAPTER  
17.63.010 THROUGH 17.63.780 AS CURRENTLY ENACTED AND  
REENACTING THIS TITLE AS FOLLOWS

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS  
FOLLOWS:

**SECTION 1:** Lodi Municipal Code Title 17 - Signs - is hereby repealed and reenacted in  
its entirety to read as follows:

Title 17

Signs

Chapter 17.63

SIGNS(On-Premise)

Sections:

**Article I. Generally**

- 17.63.010 Purpose
- 17.63.020 Applicability-Chapter
- 17.63.030 Applicability-Article
- 17.63.040 Definitions
- 17.63.050 Severability
- 17.63.060 Conformance required
- 17.63.070 On-Premise Signs; Continuation of Use: Removal
- 17.63.080 Building permit required
- 17.63.090 Copy changes
- 17.63.100 District regulation conformance
- 17.63.110 Exempted signs
- 17.63.120 Permitted Signs
- 17.63.130 Outdated, Abandoned, or Deteriorated Signs
- 17.63.140 Flashing, moving, or animated signs
- 17.63.150 Holiday decorations
- 17.63.160 Time/Temperature signs
- 17.63.170 Portable Signs
- 17.63.180 Total sign area
- 17.63.190 Annexation: Nonconforming Signs

**Article II. Residential Zones and Commercial-Professional Office Zones**

- 17.63.210 Permitted signs
- 17.63.220 Size per Frontage
- 17.63.230 Size-Corners
- 17.63.240 Lighting
- 17.63.250 Building Mounted Signs
- 17.63.260 Setback
- 17.63.270 Freestanding Signs

**Article III. Commercial Shopping Zones**

- 17.63.310 Permitted-regulations
- 17.63.320 Size-per frontage
- 17.63.330 Size-corners
- 17.63.340 Building mounted signs
- 17.63.350 Freestanding Signs
- 17.63.360 Center identification signs

**Article IV. Neighborhood Commercial Zones**

- 17.63.410 Permitted conditions
- 17.63.420 Sign Overhanging the right-of-way
- 17.63.430 Curb setback
- 17.63.440 Building mounted signs
- 17.63.450 Size-per frontage
- 17.63.460 Freestanding Signs
- 17.63.470 Center identification signs

**Article V. General Commercial and Industrial Zones**

- 17.63.510 Permitted-regulations
- 17.63.520 Freestanding signs
- 17.63.530 Building mounted signs
- 17.63.540 Signs Overhanging the right-of-way
- 17.63.550 Curb setback
- 17.63.560 Size-per frontage
- 17.63.570 Center Identification Sign(s)

**Article VI. Freeway-Adjacent Outdoor Advertising**

- 17.63.610 Placement
- 17.63.620 Size/Height
- 17.63.630 Building permit plans

**Article VII. Automobile Dealerships**

- 17.63.710 Aggregate Sign Area
- 17.63.720 Freestanding Identification Signs
- 17.63.730 Building Identification Signs
- 17.63.740 Freeway Oriented Signs
- 17.63.750 Car Window Price Signs
- 17.63.760 Prohibited Signs
- 17.63.770 Temporary Signs
- 17.63.780 Portable Signs

**Article I. Generally**

**17.63.010 Purpose.**

The purpose of this chapter shall be to establish reasonable regulations for the number, size, design, construction, installation and maintenance of all exterior signs as defined in §17.63.020 in the City of Lodi in order to:

- A. Balance the right of individuals to identify their businesses and convey their messages, and the right of the public to be protected from the unregulated proliferation of signs;
- B. Further the objectives of the General Plan;
- C. Promote aesthetics in the City by creating an attractive and harmonious community;
- D. Protect public health, safety, and welfare;
- E. Reduce traffic hazards;
- F. Protect property values; and
- G. Preserve free speech rights.

It is not intended nor shall it be construed to prefer one type of speech over another whether commercial or non commercial. Any ambiguity shall be resolved in such a way as to best advance the communicative aspects of such signs.

**17.63.020 Applicability-Chapter**

This chapter applies to all on-premise signs which are located outside of buildings and to signs painted, printed, attached, or otherwise affixed to the interior side of show windows and doors. (Prior code 27-13(h)(1)(e)).

**17.63.030 Applicability-Article**

The regulations set out in this article apply in all zoning districts.(Prior code 27-13(h)(part)).

**17.63.040 Definitions**

- A. "Abandoned Sign" means a sign which has not been maintained in accordance with the provisions of this chapter for a period in excess of 90 days following legal notice to the owner of the property and/or the owner of the advertising display or tenant on whose property the display is located that such sign does not meet, in discretion of the Director, minimum maintenance standards;
- B. "Amortization" means the elimination of non conforming signs over a period of time intended to allow the owner opportunity to realize the value of owner's investment in the sign;
- C. "Animated sign" means a sign with action or motion, flashing color changes activated by electrical energy, electronic or manufactured sources of supply, but not including wind actuated elements such as flags, banners, or pennants;
- D. "Automobile Dealership" means any licensed business which is primarily engaged in the selling or leasing of new and/or used automobiles;
- E. "Building frontage" shall mean the building elevation(s) facing a street, plaza, or mall. When the building contains multiple and/or future uses, "building frontage" shall mean the linear frontage of that use's portion of the building;
- F. "City" means the City of Lodi;
- G. "Director" means the Community Development Director or the Director's designee;
- H. "Freestanding monument sign" shall mean a sign constructed upon or suspended over a solid or semi-solid pedestal or base;
- I. "Freestanding pole sign" shall mean a sign not attached to a building which is constructed upon, or affixed to the ground by means of columns, poles, or similar structural components;
- J. "Holiday decoration" shall mean any decorative display carrying no commercial message commonly associated with a state, local, national or religious holiday;
- K. "On-Premise Sign" means an advertising display which directs attention to a business, commodity, service, attraction or activity carried on, sold, offered or existing on the premises where such sign is displayed, or which carries any non-commercial message and is located on property owned or leased by the owner of the sign;
- L. "Person" means any individual, firm, partnership, association, corporation, company, or organization of any kind;

- M. "Portable sign" means a sign made of wood or other lightweight material incorporating a frame or other support structure independent of the building, which is designed primarily to display text or other graphics, and is placed or displayed on the premises at finished grade in such a way that it can be easily moved from place to place;
- N. "Premises" means such contiguous land in the same ownership and which is not divided by a public highway, street, alley or right of way;
- O. "Readerboard" means any sign designed in such a way that the text is easily interchangeable or replaceable;
- P. "Shopping center" or "Center": A grouping of four or more businesses, or potential future businesses, shall be identifiable as a center if one or more of the following conditions exists: shared parking, uniform signage, or common architectural features;
- Q. "Sign area" shall mean the total surface space within a single continuous perimeter containing words, letters, figures, or symbols, together with any frame, material, or color forming an integral part of the display, but excluding support structures, the face of the building, and incidental parts not drawing attention to the subject matter;
- R. "Temporary signs" means a sign made of paper, paint, cardboard, cloth, plastic, or similar material, which may or may not be intended to display text or graphics, which is suspended, hung, affixed, or otherwise displayed so that it is easily moved or removed. Examples of temporary signs are pennants, banners, balloons, streamers, and similar devices. Signs placed in the back of a pickup truck, on automobile roofs, etc. shall be included in this category;
- S. "Time and temperature sign" shall mean a sign which displays the current time or outdoor temperature, or both, and which does not display any commercial advertising or identification.

#### **17.63.050 Severability**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares it would have enacted this ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

**17.63.060 Conformance required**

- A. No sign, sign structure or other advertising display shall be erected, maintained, or replaced except as permitted by and in conformity with the provisions of this chapter. Any sign which is not specifically permitted in this chapter is prohibited;
- B. Except as provided in 17.63.770, the erection, maintenance or placement of a temporary sign on any property within the City is hereby prohibited(Prior code 27-13 (h)(part)).

**17.63.070 On-Premise Signs, Continuation of Use; Removal**

The lawful use of signs existing on the effective date of this ordinance although such use does not conform with the provisions of this article, may be continued; provided, however, a non-conforming sign which has been abandoned, or its use discontinued, or the use for which it is intended has ceased to exist for a period of ninety (90) days or more, shall be brought into conformity with the provisions of this article.

- A. The City shall, within sixty (60) days after the effective date of this ordinance, commence an inventory to identify all existing on-premise signs in all zones subject to this ordinance. Such inventory shall be completed within one (1) year. All signs so identified shall be subject to the continuation of use provisions stated above. The Director shall give notice to the owner(s) of each sign so identified by certified mail, return receipt requested of such amortization schedule, specifying the sign involved and giving a final date, if any, for the removal thereof.
- B. No non-conforming sign shall be, in any manner, structurally altered, reconstructed, or moved without being made to comply in all respects with the provisions of this article; however, nothing in this subsection shall prohibit the painting, maintenance, or repairing of such sign, including the face and changing of copy, except that such repairs shall not exceed fifty (50%) percent of the value of such sign within any consecutive five (5) year period.
- C. If at any time any sign in existence or maintained on the effective date of this ordinance which sign does not conform to the provisions of this article, is destroyed by fire, explosion, accident, or act of God to the extent of more than fifty (50%) percent of the value thereof, then, without further action of the city, such sign, from and after the date of destruction, shall be subject to all the provisions of this article. For the purposes of this article, the value of any sign shall be the estimated valuation of the current replacement cost of the sign as determined by the Director.(Prior code 27-13 (h)(1)).

**17.63.080 Building permit required**

A building permit issued by the Director shall be obtained prior to the erection of any sign except as may be specifically exempted in this chapter. All illuminated or animated signs shall, in addition, be subject to all applicable provisions of the Uniform Electrical Code. (Prior code 27-13 (h)(1)(g)).

**17.63.090 Copy Changes**

Changes in advertising copy on signs do not constitute the replacement of a sign. (Prior code 27-13 (h)(1)(f)).

**17.63.100 District regulation conformance**

Signs shall conform to the size, location, height and other limitations established for the zone in which they are located except as modified in this chapter. (Prior code 27-13 (h)(1)(b)).

**17.63.110 Exempted signs**

- A. An unlit, building mounted nameplate identifying home occupations, not exceeding two square feet, and otherwise in compliance with the requirements of Section 17.08.030 of this Code;
- B. An unlighted nameplate not exceeding one square foot in area identifying the occupant of a residence in any zone;
- C. One unlighted sign not exceeding six square feet in area which advertises the sale or rental of the premises;
- D. One unlighted, non-commercial sign not exceeding six square feet in area. Such sign may indicate political, social, religious, or economic subjects of public interest or concern;
- E. A warning or trespassing sign not exceeding six square feet in area;
- F. Flags of any government or governmental agency or any patriotic, religious, charitable, civic, educational, or fraternal organizations not exceeding forty square feet in area;
- G. Signs which are an integral part of the historic character of a landmark building or historic district or site;
- H. Signs attached to or painted on the inside of a window and not exceeding four square feet per pane and which do not exceed twenty-five percent of the area of the window pane;
- I. Safety, traffic or other publicly installed signs or signals which are required for the public safety, peace or welfare, and signs placed for the purpose of informing the public of the existence of underground utilities. (Prior code 27-13 (h)(1)(a)).

**17.63.120 Permitted signs**

The following signs are permitted in all zones with a building permit:

- A. One identification sign for apartment and institutional uses, but not exceeding forty-eight square feet;

- B. A bulletin board for a church or other public institution, but not exceeding twenty square feet in area;
- C. One sign not exceeding one hundred square feet in area erected on the site prior to or during the construction of a building or the development of a subdivision which indicates the nature of the development or which identifies the persons involved in the construction. (Ord. 1382 2, 1986; prior code 27-13 (h)(2)(part), (a-h)).

**17.63.130 Outdated, abandoned, or deteriorated signs.**

No sign or other advertising structure shall be inadequately maintained so as to show evidence of deterioration, including peeling, rust, dirt, fading, discoloration, or holes. No sign or other advertising structure shall advertise a business or product which is no longer in existence.

**17.63.140 Flashing, moving, or animated signs**

Flashing, moving, or animated signs are subject to the issuance of a use permit, and no such permit shall be issued if the sign will tend to cause a traffic hazard. (Prior code 27-13 (h)(1)(c)).

**17.63.150 Holiday decorations**

Decorations for the holidays which are maintained for a period not exceeding 60 days during any single observance are permitted and not subject to the height, area, or lighting limitations set forth in this chapter. No building permit is required. (Prior code 27-13 (h)(1)(d)).

**17.63.160 Time/Temperature signs**

Signs which display the time and temperature shall be allowed in the C-S, C-1, C-2, C-M, M-1, and M-2 zones subject to a use permit.

**17.63.170 Portable Signs**

- A. One portable sign not exceeding a maximum of 24 square feet or a height of four (4) feet shall be allowed per establishment in addition to other permitted signs. Such sign shall be placed within ten (10) feet of an exterior wall of the business except that under no circumstances shall the sign be placed in the public right-of-way. Portable signs shall be unlit and shall not have attached to them any balloons, streamers, or other extraneous materials. Portable signs shall only be displayed during regular business hours;
- B. No portable sign shall be erected without first obtaining a Portable Sign Permit in accordance with the Director's requirement.

**17.63.180 Total sign area**

Any combination of signs may be used, in accordance with the zoning district provisions, as long as the maximum allowable square footage of sign area is not exceeded. In calculating the total area of signs, all readable surfaces shall be counted.

**17.63.190 Annexation: Nonconforming Signs**

Whenever any territory is annexed to the City of Lodi and within such territory there are located signs which have had restrictions or limitations imposed by the County of San Joaquin which are more restrictive than this Chapter, such restrictions or limitations shall be superseded by the restrictions or limitations specified by this chapter. In the event the County regulations are less restrictive, all signs located within such annexed territories shall be deemed nonconforming and shall be subject to the amortization provisions of this Chapter, on a schedule commencing at the date of annexation of such territory in which the sign is located.

**Article II. Residential Zones and Commercial-Professional Office Zones**

**17.63.210 Permitted signs**

Signs are permitted in the R and RCP zones, subject to the conditions set forth in this article. (Ord. 1382 2, 1986; prior code 27-13 (h)(2)(part), (a-h)).

**17.63.220 Size-Per Frontage**

Signs may not exceed one square foot of sign area for each two lineal feet of street frontage, which identifies business uses in the residential-commercial-professional district.

**17.63.230 Size-Corners**

For uses located on corner parcels, seventy-five percent of the total street frontage shall be used in calculating maximum area of signs.

**17.63.240 Lighting**

In R and RCP zones neon and similar types of directly lighted signs are prohibited. Signs in areas zoned residential-commercial-professional, if lighted, shall be designed to prevent over-illumination or shield excessive glare. (Prior code 27-13 (h)(2)(part)).

**17.63.250 Building mounted signs**

Signs for individual businesses shall be surface mounted, shall not exceed a maximum of two hundred square feet, and shall not extend above the height of the building on which they are mounted. In no case shall signs be mounted on the roof or exceed a height of 20 feet. (Prior code 27-13 (h)(3a)(c)).

**17.63.260 Setback**

Permitted signs shall be set back at least ten feet from the property line. (Prior code 27-13 (h)(2)(part)).

**17.63.270 Freestanding Signs**

Freestanding signs may not exceed a maximum height of twenty feet and are allowed as follows:

- A. Freestanding signs ten feet tall or less shall be limited to a maximum total sign area of 50 square feet;

- B. Freestanding signs taller than ten feet shall be permitted with an allowance for an additional 15 square feet of signage per foot in height to the maximum of two hundred square feet at the maximum height of 20 feet.

### **Article III. Commercial Shopping Zones**

#### **17.63.310 Permitted-regulations**

Signs are permitted in the C-S zone subject to the regulations set out in this article. (Prior code 27-13 (h)(3a)(part)).

#### **17.63.320 Size-per frontage**

The ratio for calculating maximum sign area for individual businesses within a commercial shopping zone shall be two square feet of sign area for each one foot of lineal building frontage. (Prior code (h)(3a)(a)).

#### **17.63.330 Size-corners**

The maximum sign area for individual businesses located on corners (i.e. building frontage on two sides) within a commercial shopping zone shall be calculated at seventy-five percent of the ratio of two square feet of sign area for each one foot of lineal building frontage. (Prior code 27-13 (h)(3a)(b)).

#### **17.63.340 Building mounted signs**

Signs for individual businesses shall be surface mounted, shall be a maximum of two hundred square feet in size, and shall not extend above the height of the building on which they are mounted. If lighted, they shall be designed to prevent over-illumination or shield excessive glare. In no case shall signs be mounted on the roof or exceed a height of 35 feet. (Prior code 27-13 (h)(3a)(c)).

#### **17.63.350 Freestanding Signs**

There shall be no freestanding signs permitted except for the allowance specified in the section below.

#### **17.63.360 Center identification signs**

Freestanding signs which primarily identify the shopping center are permitted in addition to other permitted sign area:

- A. May not project more than one foot over the public right-of-way and in no case shall such sign extend closer than two feet from the back of the curb;
- B. Shall be a freestanding monument sign for all signs up to ten feet tall with a maximum total sign area of 50 square feet;
- C. May be a freestanding pole sign for all signs 11 feet or taller. An additional 14 square feet of signage is allowed per each additional foot in height above ten feet to the maximum of four hundred square feet at the maximum height of 35 feet. Not more

than 50% of the total allowable sign area may be used for the main identification sign. Individual tenant identification shall be uniform in size and shape;

- D. For freestanding pole signs, the bottom of the display frame shall be a minimum of ten feet from finished grade;
- E. For monument signs 11 feet tall or taller, the base or pedestal shall constitute the first ten feet in height (no advertisement);
- F. Shall be limited to one per shopping center except that shopping centers of ten acres or more may have two freestanding identification signs of similar design and construction subject to the approval of the planning commission;
- G. Shall not contain reader-boards (Prior code 27-13 (h)(3a)(d));
- H. Freestanding signs for individual businesses are not allowed in a center.

#### **Article IV. Neighborhood Commercial Zones**

##### **17.63.410 Permitted conditions**

Signs are permitted in the C-1 zones subject to the conditions set out in this article. (Prior code 27-13 (h)(3)(a)).

##### **17.63.420 Signs Overhanging the Public Right-of Way**

Signs may not project more than one foot over the public right-of-way except that signs may be mounted on a marquee or on an awning in the public right-of-way, provided:

- A. Signs attached to the front of a marquee shall be placed flush and have a maximum height of two feet;
- B. Signs attached to the front or to the sloping face of an awning shall be placed flush;
- C. Signs placed under a marquee or under an awning shall not exceed ten square feet and shall be a minimum of eight feet above the finished grade of the existing or future sidewalk;
- D. Theater marquee signs, when an integral part of the marquee, shall not be erected until first securing a use permit from the planning commission.(Prior code 27-13 (h)(3)(b)).

##### **17.63.430 Curb setback**

In no case shall signs extend closer than two feet from the back of the curb. (Prior code 27-13 (h)(3)(c)).

##### **17.63.440 Building mounted signs**

Signs for individual businesses may be surface mounted, shall be a maximum of two hundred square feet in size and shall not extend above the height of the building on which

they are mounted. If lighted, they shall be designed to prevent over-illumination or shield excessive glare. In no case shall signs be mounted on the roof or exceed a height of 35 feet. (Prior code 27-13 (h)(3a)(c)).

**17.63.450 Size-per frontage**

The ratio for calculating maximum area of signs on property shall be:

- A. For individual businesses which are adjacent to a public street or streets, two square feet of sign area for each one foot of lineal street frontage;
- B. For individual businesses which have street frontage in common with other businesses, two square feet of sign area for each one foot of lineal building frontage;
- C. For individual businesses located on corners ( i.e., building frontage or street frontage on two sides), seventy-five percent of the ratio of two square feet of sign area for each one foot of lineal building frontage or street frontage, respectively. (Prior code (h)(3)(e)).

**17.63.460 Freestanding signs**

Freestanding signs for all businesses except those within a center:

- A. Shall be a freestanding monument sign for all signs up to ten feet tall with a maximum total sign area of 50 square feet;
- B. May be a freestanding pole sign for all signs 11 feet or taller. An additional 14 square feet of signage is allowed per each additional foot in height above ten feet to the maximum of four hundred square feet at the maximum height of 35 feet;
- C. For freestanding pole signs, the bottom of the display frame shall be ten feet from finished grade;
- D. For monument signs 11 feet tall or taller, the base or pedestal shall constitute the first ten feet in height.

**17.63.470 Center identification signs**

Freestanding signs which primarily identify the center may be erected in addition to other permitted sign area which:

- A. Shall be a freestanding monument sign for all signs up to ten feet tall with a maximum total sign area of 50 square feet;
- B. May be a freestanding pole sign for all signs 11 feet or taller. An additional 14 square feet of signage is allowed per each additional foot in height above ten feet to the maximum of four hundred square feet at the maximum height of 35 feet. Not more than 50% of the total allowable sign area may be used for the main identification sign. Individual tenant identification shall be uniform in size and shape;

- C. For freestanding pole signs, the bottom of the display frame shall be ten feet from finished grade;
- D. For monument signs 11 feet tall or taller, the base or pedestal shall constitute the first ten feet in height;
- E. Shall be limited to one per shopping center except that shopping centers of ten acres or more may have two freestanding signs of similar design and construction;
- F. Shall not contain reader boards. (Prior code 27-13 (h)(3)(f));
- G. Freestanding signs for individual businesses are not allowed in a center.

**Article V. General Commercial and Industrial Zones**

**17.63.510 Permitted-regulations**

Signs are permitted in C-2 and M zones, subject to regulations set out in this article. (Prior code 27-13 (h)(4)(part)).

**17.63.520 Freestanding signs**

Freestanding signs for all businesses except those within a center:

- A. Shall be a freestanding monument sign for all signs up to ten feet tall with a maximum total sign area of 50 square feet;
- B. May be a freestanding pole sign for all signs 11 feet or taller. An additional 14 square feet of signage is allowed per each additional foot in height above ten feet to the maximum of four hundred square feet at the maximum height of 35 feet;
- C. For freestanding pole signs, the bottom of the display frame shall be ten feet from finished grade.(Prior code 27-13 (h)(4)(a));
- D. For monument signs 11 feet tall or taller, the base or pedestal shall constitute the first ten feet in height.

**17.63.530 Building mounted signs**

Signs for individual businesses may be surface mounted, shall be a maximum of two hundred square feet, and shall not extend above the height of the building on which they are mounted. If lighted, they shall be designed to prevent over-illumination or shield excessive glare. In no case shall signs be mounted on the roof or exceed a height of 35 feet. (Prior code 27-13 (h)(4)(b)).

**17.63.540 Signs Overhanging the Public right-of-way**

The maximum distance a sign may overhang the public right-of-way is six feet except;

- A. Signs attached to the front of a marquee shall be placed flush and have a maximum height of two feet;

- B. Signs attached to the front or to the sloping face of an awning shall be placed flush;
- C. Signs placed under a marquee or under an awning shall not exceed ten square feet and shall be a minimum of eight feet above the finished grade of the existing or future sidewalk;
- D. Theater marquee signs, when an integral part of the marquee, shall not be erected until first securing a use permit from the planning commission. Prior code 27-13 (h)(4)(c).

**17.63.550 Curb setback**

In no case shall signs extend closer than two feet from the back of the curb. (Prior code 27-13 (h)(4)(d)).

**17.63.560 Size-per frontage**

The ratio for calculating the maximum area of signs on property shall be:

- A. For individual businesses which are adjacent to a public street or streets, three square feet of sign area for each one foot of lineal street frontage;
- B. For individual businesses which have street frontage in common with other businesses, three square feet of sign area for each one foot of lineal building frontage;
- C. For individual businesses located on corners (i.e. building frontage or street frontage on two sides) seventy-five percent of the ratio of three square feet of sign area for each one foot of lineal building frontage or street frontage respectively. (Prior code 27-13 (h)(4)(f)).

**17.63.570 Center Identification Sign(s)**

Freestanding signs which primarily identify a shopping center are permitted in addition to the permitted sign area which:

- A. Shall be a freestanding monument sign for all signs up to ten feet tall with a maximum total sign area of 50 square feet;
- B. May be a freestanding pole sign for all signs 11 feet or taller. An additional 14 square feet of signage is allowed per each additional foot in height above ten feet to the maximum of four hundred square feet at the maximum height of 35 feet. Not more than 50% of the total allowable sign area may be used for the main identification sign. Individual tenant identification shall be uniform in size and shape;
- C. For freestanding pole signs, the bottom of the display frame shall be a minimum of ten feet from finished grade;
- D. For monument signs 11 feet tall or taller, the base or pedestal shall constitute the first ten feet in height;

- E. Shall be limited to one per shopping center except that shopping centers of ten acres or more may have two freestanding identification signs of similar design and construction;
- F. Shall not contain reader-boards. (Prior code 27-13 (h)(4)(g));
- G. Freestanding signs for individual businesses are not allowed in a center.

## **Article VI. Freeway Adjacent Outdoor Advertising**

### **17.63.610 Placement**

On-premise advertising displays may be erected within the City in the area described as follows: on the west by a line drawn fifty feet west of the west right-of-way line of Cherokee Lane or five hundred feet west of the west right-of-way line of the US Highway 99 Freeway, whichever is greater; on the east by a line drawn five hundred feet east of the east right-of-way line of the U.S. Highway 99 Freeway; and on the north and south by the present city limits or as the same may exist in the future.

### **17.63.620 Size/Height**

The maximum size of any such advertising display or structure shall be four hundred eighty square feet and seventy-five feet in height. (Prior code 27-13 (h)(5)(d)).

### **17.63.630 Building permit plans**

The application for building permits for such outdoor displays or structures shall include plans showing the construction of the sign, the advertising display to be placed thereon, and the proposed location of the sign in relation to the freeway and to the property on which the sign is to be placed. (Prior code 27-13 (h)(5)(c)).

## **Article VII. Automobile Dealerships**

### **17.63.710 Aggregate Sign Area**

The aggregate sign area for each lot shall be three (3) square feet for each lineal foot of street frontage. For lots with more than one street frontage, the aggregate sign area shall be seventy-five (75) percent of the total so computed.

### **17.63.720 Freestanding Identification Signs**

Each lot shall be permitted one (1) freestanding identification sign. The freestanding sign:

- A. Shall be a freestanding monument sign for all signs up to ten feet tall with a maximum total sign area of 50 square feet;
- B. May be a freestanding pole sign for all signs 11 feet or taller. An additional 14 square feet of signage is allowed per each additional foot in height above ten feet to the maximum of four hundred square feet at the maximum height of 35 feet;

- C. For freestanding pole signs, the bottom of the display frame shall be ten feet from finished grade.(Prior code 27-13 (h)(4)(a));
- D. For monument signs 11 feet tall or taller, the base or pedestal shall constitute the first ten feet in height.

**17.63.730 Building Identification Signs**

Each building shall be permitted projecting, surface-mounted, fascia, or painted signs not exceeding the allowed area based on the calculation. No single wall mounted sign shall exceed 200 square feet.

**17.63.740 Freeway Oriented Signs**

Freeway oriented identification sign(s) may be permitted in accordance with the regulations listed in Article VI of this Chapter.

**17.63.750 Car Window Price Signs**

A price sign no larger than four (4) square feet shall be allowed in the window of each car for sale.

**17.63.760 Prohibited Signs**

Balloons or other inflatables used as signs, placed on the property or used in the airspace above the property, whether or not they display text, are prohibited.

**17.63.770 Temporary Signs**

All temporary signs as defined under section 17.63.040, with the exception of balloons, are permitted upon the premises of any automobile dealership within the City.

**17.63.780 Portable Signs**

- A. One portable sign not exceeding a maximum of 24 square feet or a height of four (4) feet shall be allowed per establishment in addition to other permitted signs. Such sign shall be placed within ten (10) feet of an exterior wall of the business except that under no circumstances shall the sign be placed in the public right-of-way. Portable signs shall be unlit.
- B. No portable sign shall be erected without first obtaining a Portable Sign Permit in accordance with the Director's requirement.

**SECTION 2 - NO MANDATORY DUTY OF CARE.**

This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

**SECTION 3 - SEVERABILITY.**

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

**SECTION 4.** All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

**SECTION 5.** This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this \_\_\_ day of \_\_\_\_\_, 1995

\_\_\_\_\_  
STEPHEN J. MANN  
Mayor

Attest:

JENNIFER M. PERRIN  
City Clerk

State of California  
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1622 was introduced at a regular meeting of the City Council of the City of Lodi held October 18, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 1995 by the following vote:

- Ayes: Council Members -
- Noes: Council Members -
- Absent: Council Members -
- Abstain: Council Members -

I further certify that Ordinance No. 1622 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN  
City Clerk

Approved as to Form:

RANDALL A. HAYS  
City Attorney



# CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARING

Date: October 18, 1995

Time: 7:00 p.m.

For information regarding this notice please contact:

**Jennifer M. Perrin**

City Clerk

Telephone: (209) 333-6702

### NOTICE OF PUBLIC HEARING

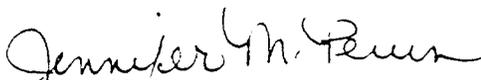
NOTICE IS HEREBY GIVEN that on **Wednesday, October 18, 1995** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

- a) Consider Planning Commission's recommendation that amendments be made to the portion of Title 17, "Zoning Ordinance" dealing with "Signs".

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

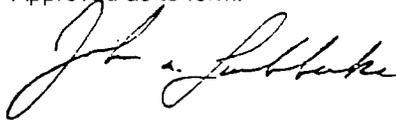
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

  
Jennifer M. Perrin  
City Clerk

Dated: September 21, 1995

Approved as to form:

  
John Luebberke  
Deputy City Attorney



## DECLARATION OF MAILING

### Public Hearing Regarding "Zoning Ordinance - Signs"

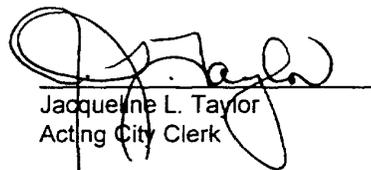
On September 21, 1995 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 21, 1995, at Lodi, California.

Jennifer M. Perrin  
City Clerk



Jacqueline L. Taylor  
Acting City Clerk

CITY OF LODI

CITY HALL, 221 W. PINE ST.  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

|||||  
CHAMBER OF COMMERCE  
1330 S. HAM LANE  
LODI, CA 95240

|||||  
Dale Gillespie  
619 Sandstone Ct.  
Woodbridge, CA 95258

|||||  
Jerry Wisenor  
808 E. Tehama Drive  
Lodi, CA 95242

|||||  
LODI DOWNTOWN BUSINESS ASSOCL  
ATTN: KEN CANTRELL  
C/O LONGS DRUGS  
100 W. LODI AVENUE  
LODI, CA 95240

|||||  
TONY SEGALE  
204 N. SACRAMENTO ST.  
LODI, CA 95240

|||||  
Jeffrey Kirst  
P.O. Box 1259  
Woodbridge, CA 95258

|||||  
SUSAN WILLIAMSON  
1723 WINDJAMMER CT.  
LODI, CA 95242