

CITY COUNCIL MEETING
OCTOBER 18, 1995

PUBLIC HEARING REGARDING SIGN ORDINANCE

ACTION ON PUBLIC HEARING REGARDING SIGN ORDINANCE

- a) Mayor Mann announced that, pursuant to staff's request, the Public Hearing regarding the Planning Commission's recommendation that amendments be made to the portion of Title 17, "Zoning Ordinance" dealing with "On-Premise Signs" will be continued to the Regular Council meeting of November 15, 1995. Further, the matter will be discussed at the Shirtsleeve Session of October 31, 1995.

Therefore, the City Council, on motion of Council Member Sieglock, Pennino second, unanimously continued the 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" to November 15, 1995.

FILE NO. CC-53(a) AND CC-171

**FINAL DRAFT: prepared for
City Council meeting of October
18, 1995**

Chapter 17.63

SIGNS(On-Premise)

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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 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": For purposes of this chapter, "on-premise" sign shall mean 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 _____ 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 _____ 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

1. 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.

2. An unlighted nameplate not exceeding one square foot in area identifying the occupant of a residence in any zone.
3. One unlighted sign not exceeding six square feet in area which advertises the sale or rental of the premises.
4. 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.
5. A warning or trespassing sign not exceeding six square feet in area.
6. Flags of any government or governmental agency or any patriotic, religious, charitable, civic, educational, or fraternal organizations not exceeding forty square feet in area.
7. Signs which are an integral part of the historic character of a landmark building or historic district or site.
8. 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.

9. 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:

A1. Signs attached to the front of a marquee shall be placed flush and have a maximum height of two feet;

A2. Signs attached to the front or to the sloping face of an awning shall be placed flush;

B. 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.;

C. 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;

A1. Signs attached to the front of a marquee shall be placed flush and have a maximum height of two feet;

A2. Signs attached to the front or to the sloping face of an awning shall be placed flush;

B. 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.;

C. 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 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.

17.63.150 Height.

Article III. Neighborhood Commercial Zones

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17.63.320 Curb setback.

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Chapter 17.63

SIGNS

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Article I. Generally

17.63.010 Applicability—Chapter.

This chapter applies only to those signs which are located outside of buildings. (Prior code § 27-13(h)(1)(e))

17.63.020 Applicability—Article.

The regulations set out in this article apply in all zoning districts. (Prior code § 27-13(h)(1)(part))

17.63.030 Conformance required.

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. (Prior code § 27-13(h)(part))

17.63.040 Conformance deadline.

All signs, except as provided in Article VI of this chapter, in violation of the provisions of this chapter shall be made to conform with such provisions or shall be removed by May, 1973 or within five years of the annexation to the city of the property upon which the sign is located, whichever is the later date. All flashing, moving and animated signs existing in the city on the effective date of the ordinance from which this chapter derives require a use permit or shall be removed by May, 1973, or within five years of

annexation of the property to the city. (Prior code § 27-13(h)(1)(h))

17.63.050 Building permit required.

A building permit issued by the building inspector shall be obtained prior to the erection of any sign except as may be specifically exempted in this chapter. (Prior code § 27-13(h)(1)(g))

17.63.060 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))

17.63.070 Exempted signs.

This chapter does not apply to safety, traffic or other publicly installed signs or signals which are required for the public safety, peace or welfare nor to signs placed for the purpose of informing the public of the existence of underground utilities. (Prior code § 27-13(h)(1)(a))

17.63.080 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))

17.63.090 Holiday decorations.

Decoration signs for holidays which are maintained for a period not exceeding one month are permitted and not subject to height, area or lighting limitations set forth in this chapter. No building

permit is required. (Prior code § 27-13(h)(1)(d))

17.63.100 Copy changes.

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

17.63.110 Area calculation.

In calculating the total area of signs, all readable surfaces shall be counted. (Prior code § 27-13(h)(1)(i))

Article II. Residential Zones and Commercial-professional Office Zones

17.63.120 Permitted signs.

The signs permitted in the R and C-P zones, subject to the conditions set forth in this article, are as follows:

A. One unlighted nameplate not exceeding one square foot in area identifying the occupant of a residence. No building permit is required;

B. One identification sign for apartments and institutional use, but not exceeding forty-eight square feet;

C. One unlighted sign not exceeding six square feet in area which advertises the sale or rental of the premises. No building permit is required;

D. A bulletin board for a church or other public institution, but not exceeding twenty square feet in area;

E. Signs may not exceed one square foot of sign area for each two lineal feet of street frontage, with a maximum size not to exceed two hundred square feet which identifies office uses in the commercial-professional district. For office uses located on corner parcels, seventy-five percent of the total street frontage shall

be used in calculating maximum area of signs. Signs in areas zoned residential-commercial-professional shall be interiorly lit.

F. 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;

G. One unlighted, noncommercial sign not exceeding six square feet in area. Such sign may indicate political, social, religious or economic subjects of public interest and general concern;

H. A warning or trespassing sign not exceeding six square feet in area. No building permit is required. (Ord. 1382 § 2, 1986; prior code § 27-13(h)(2)(part), (a—h))

17.63.130 Neon and other directly lighted signs.

In R and C-P zones neon and similar types of directly lighted signs are prohibited. (Prior code § 27-13(h)(2)(part))

17.63.140 Setback.

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

17.63.150 Height.

Signs may not exceed a height of twenty feet (Prior code § 27-13(h)(2)(i))

Article III. Neighborhood Commercial Zones

17.63.160 Permitted—Conditions.

Signs are permitted in the C-1 zones

17.63.160

subject to the conditions set out in this article. (Prior code § 27-13(h)(3)(part))

17.63.170 Height.

Signs may not exceed a height of thirty-five feet. (Prior code § 27-13(h)(3)(a))

17.63.180 Right-of-way overhang.

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

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

B. Signs placed under a marquee shall not exceed ten square feet and shall be a minimum of eight feet above the finished grade of the existing or future sidewalk.

C. Theater marquee signs, when an integral part of the marquee, may overhang the public right-of-way a distance of ten feet and shall not be erected until first securing a use permit from the planning commission. (Prior code § 27-13(h)(3)(b))

17.63.190 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))

17.63.200 Size—Absolute maximum.

The maximum size of any one sign shall be three hundred square feet. (Prior code § 27-13(h)(3)(d))

17.63.210 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. (Prior code § 27-13(h)(3)(e))

17.63.220 Parcels with four or more businesses.

Parcels under one ownership which contain four or more businesses may erect a free-standing sign in addition to other permitted sign area which:

A. Shall be a maximum of three hundred square feet. One hundred square feet of the total sign area may be used for individual identification signs uniform in size, shape and lettering;

B. Shall have a maximum height of thirty-five feet and shall be a minimum of ten feet from finished grade of the existing or future sidewalk; except, that non-illuminated, non-structural and non-supporting decorative spires mounted on the top of said signs may exceed the height limit by a height equal to one-third of the distance measured between the top portion of the sign identifying the shopping area and the finished grade of the existing or future sidewalk;

C. Shall not contain "reader boards." (Prior code § 27-13(h)(3)(f))

Article IV. Commercial Shopping Zones

17.63.230 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))

17.63.240 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 § 27-13(h)(3a)(a))

17.63.250 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))

17.63.260 Mounting, lighting, height.

Signs for individual businesses shall be flush-mounted, indirectly lighted and shall not extend above the height of the building on which they are mounted. (Prior code § 27-13(h)(3a)(c))

17.63.270 Shopping center identification signs.

Freestanding signs which identify the shopping center:

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 curb:

B. Shall be a maximum of six hundred square feet for all readable surfaces. One hundred square feet of the total sign area may be used for individual business identification signs uniform in size, shape and lettering:

C. Shall have a maximum height of thirty-five feet and shall be a minimum of ten feet above the finished grade of the existing or future sidewalk: except non-illuminated, nonstructural and nonsupporting decorative spires mounted on top of the signs may exceed the height limit by a height equal to one-third of the distance measured between the top of the sign identifying the shopping center and the finished grade of the existing or future sidewalk:

D. Shall be limited to one per shopping center except that shopping centers of ten acres or more may have two free-standing identification signs subject to the approval of the planning commission:

E. Shall not contain "readerboards." (Prior code § 27-13(h)(3a)(d))

Article V. General Commercial and Industrial Zones

17.63.280 Permitted—Regulations.

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

17.63.290 Freestanding signs.

Freestanding signs which are supported primarily by structures on the ground may not exceed a height of thirty-five feet and shall be a minimum of ten feet above the finished grade of the existing sidewalk or future sidewalk: except that nonilluminated, nonstructural and nonsupporting decorative spires mounted on top of the signs may exceed the height limit by a height equal to one-third of the distance measured between

17.63.290

the top portion of the sign identifying the business and the finished grade of the existing or future sidewalk. (Prior code § 27-13(h)(4)(a))

17.63.300 Building-mounted signs.

Signs mounted on buildings may not exceed the height limit of the building or thirty-five feet, whichever is the greater. (Prior code § 27-13(h)(4)(b))

17.63.310 Right-of-way overhang.

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

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

B. Signs placed under a marquee shall not exceed ten square feet and shall be a minimum of eight feet above the finished grade of the existing or future sidewalk.

C. Theater marquee signs when an integral part of a marquee may overhang the public right-of-way a distance of ten feet and shall not be erected until first securing a use permit from the planning commission. (Prior code § 27-13(h)(4)(c))

17.63.320 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))

17.63.330 Size—Absolute maximum.

The maximum size of any one sign shall be four hundred eighty square feet. (Prior code § 27-13(h)(4)(e))

17.63.340 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. (Prior code § 27-13(h)(4)(f))

17.63.350 Parcels with four or more businesses.

Parcels under one ownership which contain four or more businesses may erect a freestanding sign in addition to the permitted sign area which:

A. Shall be a maximum of three hundred square feet. One hundred square feet of the total sign area may be used for individual business identification signs, uniform in size, shape and lettering;

B. Shall not contain "readerboards." (Prior code § 27-13(h)(4)(g))

17.63.360 Freeway information area.

A. A freeway information (FI) area is established to include that area within the city 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 U.S. Highway 50-99 Freeway, whichever is greater; on the east by a line drawn five hundred feet east of

the east right-of-way line of U.S. Highway 50-99 Freeway; and on the north and south by the present city limits or as the same may exist in the future.

B. Signs erected in the FI area shall not exceed seventy-five feet in height. (Prior code § 27-13(h)(4)(h))

17.63.370 Off-premises signs.

Off-premises signs may be erected in addition to the maximum permitted sign area under the following conditions:

A. One off-premises sign shall be permitted per each city block, except, that in any city block in excess of five hundred lineal feet, one additional off-premise sign shall be permitted in every three hundred lineal feet thereof.

B. The maximum size of any off-premises sign shall be four hundred eighty square feet.

C. In determining the maximum size of two off-premises signs which are placed back to back on the same structure, only one readable surface shall be counted. (Prior code § 27-13(h)(4)(i))

Article VI. Freeway-adjacent Outdoor Advertising

17.63.380 Definitions.

"Advertising structure," "advertising display," "freeway," "highway," "landscaped freeway," "person," "sign" and "to place," used in this article, have the definitions and meanings as such terms are defined in the Outdoor Advertising Act which act is set forth in Section 5200 et seq. of the Business and Professions Code of the state. (Prior code § 27-13(h)(5)(e))

17.63.390 Prohibited for freeway viewing.

No advertising displays shall be placed or maintained on property adjacent to a section of a freeway regardless of the zoning district in which it is located if the advertising display is designed to be viewed primarily by persons traveling on such freeway (Prior code § 27-13(h)(5)(a))

17.63.400 Exemptions.

The prohibitions set out in Section 17.63.390 shall not apply to advertising displays or structures placed upon property for the following purposes:

A. To advertise the sale or lease of the property upon which such advertising display is placed:

B. To designate the name of the owner or occupant of the premises or to identify such premises:

C. To advertise the business conducted or services rendered or goods produced upon the property upon which such advertising display is placed, except that no goods for sale may be so advertised. (Prior code § 27-13(h)(5)(b))

17.63.410 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))

17.63.420 Size.

The maximum size of any such advertising display or structure shall be four

17.63.420

hundred eighty square feet. (Prior code § 27-13(h)(5)(d))

17.63.430 Conformance deadline.

All signs in violation of this part shall be made to conform with such part or shall be removed within two years of the effective date of the ordinance from which this article derives, or within two years from the date of their annexation to the city, whichever is the later date, or within two years of completion of a landscaped freeway. (Prior code § 27-13(h)(5)(f))



CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: CONTINUED PUBLIC HEARING ON NOVEMBER 15, 1995 TO CONSIDER PLANNING COMMISSION'S RECOMMENDATION THAT AMENDMENTS BE MADE TO THE PORTION OF TITLE 17, "ZONING ORDINANCE" DEALING WITH "SIGNS".

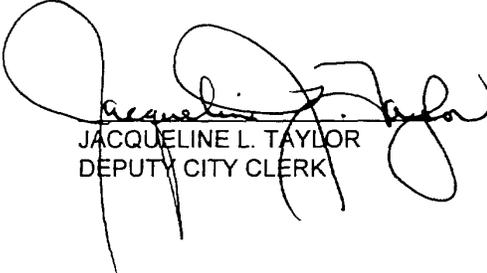
PUBLISH DATE: SATURDAY, NOVEMBER 4, 1995 *and* SATURDAY, NOVEMBER 11, 1995

TEAR SHEETS WANTED: ONE (*for each publication*)

AFFIDAVIT AND BILL TO: JENNIFER M. PERRIN
CITY CLERK

DATED: NOVEMBER 19, 1995

ORDERED BY:


JACQUELINE L. TAYLOR
DEPUTY CITY CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: November 15, 1995

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin

City Clerk

Telephone: (209) 333-6702

CONTINUED

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, November 15, 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 **Continued** 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: **October 18, 1995**

Approved as to form:


John Luebberke
Deputy City Attorney