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ORDINANCE NO. 385

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN
AMENDING THE ARVIN MUNICIPAL CODE BY ADDING CHAPTER
17.62, SIGN REGULATIONS**

The City Council of the City of Arvin, California, ordains as follows:

Chapter 17.62, Sign Regulations (Private Property) is hereby added to Title 17, Zoning, of the Arvin Municipal Code:

"CHAPTER 17.62
SIGN REGULATIONS (PRIVATE PROPERTY)

Sections:

- 17.62.010 Title
- 17.62.020 Purpose
- 17.62.030 Definitions
- 17.62.040 Applicability
- 17.62.050 General Provisions
- 17.62.060 Signs not requiring a sign permit
- 17.62.070 Administration.
- 17.62.080 General location, height and area standards
- 17.62.090 Design, material, construction and maintenance standards.
- 17.62.100 Signs permitted in all zones
- 17.62.110 Signs permitted in residential zones
- 17.62.120 Signs permitted in commercial and manufacturing zones
- 17.62.130 Prohibited signs
- 17.62.140 Removal of signs
- 17.62.150 Appeals

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"CHAPTER 17.62 SIGN REGULATIONS (PRIVATE PROPERTY)

17.62.010 Title

The ordinance codified in this Chapter shall be known as the "sign Regulations." This Title supersedes all other sign regulations contained in the Municipal Code, except Chapter 17.52, Nonconforming Buildings and Uses.

17.62.020 Purpose.

The purposes and intent of these sign regulations include to:

- A. Regulate signs located on private property within the city and on property owned by public agencies other than the city and over which the city has zoning and land use regulatory power.
- B. Implement the city's general plan policies as set forth in the city's general plan, specific plans, special districts, design guidelines, and municipal code.
- C. Maintain and enhance the city's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination and maintenance of signs.
- D. Serve the city's interests in maintaining and enhancing its visual appeal for residents, tourists and other visitors, by preventing the degradation of visual quality which can result from excessive and poorly designed located or maintained signage.
- E. Generally limit commercial signage to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public.
- F. Limit the size and number of signs to levels that reasonably allow for the identification of a residential, public or commercial location and the nature of any such commercial business.
- G. Encourage signs that are appropriate to the zoning district in which they are located and consistent with the permitted uses of the subject property.
- H. Establish sign sizes in relationship to the scale of the parcel and building on which the sign is to be placed or to which it pertains.

I. Minimize the possible adverse effects of signs on nearby public and private property, including streets, roads and highways.

J. Protect the investments in property and lifestyle quality made by persons who choose to live, work or do business in the city.

K. Protect and improve pedestrian and vehicular traffic safety by balancing the need for signs that facilitate the safe and smooth flow of traffic (e.g., directional signs and on-site signs) without an excess of signage which may distract drivers or overload their capacity to quickly receive information.

L. Reduce hazardous situations, confusion and visual clutter caused by the proliferation, placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.

M. Regulate signs in a manner so as to not to physically interfere with or obstruct the vision of pedestrian or vehicular traffic.

N. Avoid unnecessary and time consuming approval requirements for certain minor or temporary signs that do not require review for compliance with the City's building and electrical codes while limiting the size and number of such signs so as to minimize visual clutter.

O. Respect and protect the right of free speech by sign display, while reasonably regulating the structural, locational and other non-communicative aspects of signs, generally for the public health, safety, welfare and specifically to serve the public interests in community aesthetics and traffic and pedestrian safety.

P. Enable the fair, consistent and efficient enforcement of the sign regulations of the city.

Q. Regulate signs in a constitutional manner, which is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs. All administrative interpretations and discretion is to be exercised in light of this policy and consistent with the purposes and intent stated in this section.

R. The primary purpose of a sign is to identify the business. Advertising signs alone are prohibited. However, in conjunction with an identification signs information on not more than five

products may be allowed. For example, information on products such as Bakery or Photography or Hardware may be allowed.

17.62.030 Definitions.

The words, phrases and terms used in this title will have the meaning set forth in this section unless another meaning is clearly apparent from the context.

"Sign" means any device, fixture, placard or structure, including its component parts, which draws attention to an object, product, place, activity, opinion, person, institution, organization, or place of business, or which identifies or promotes the interests of any person and which is to be viewed from any public street, road, highway, right-of-way or parking area. The following are not within the definition of "sign" for the regulatory purposes of this title:

- a. Any public or legal notice required by a court or public agency;
- b. Decorative or architectural features of buildings, except letters, trademarks or moving parts;
- c. Symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building which is otherwise legal;
- d. Signs on street legal vehicles, license plates, license plate frames, registration insignia, including noncommercial messages, messages relating to the business or service of which the vehicle is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle;
- e. Traffic, directional, emergency, warning or informational signs required or authorized by a government agency having jurisdiction;
- f. Permanent memorial or historical signs, plaques or markers;
- g. Public utility signs; and
- h. News racks that are otherwise subject to regulation under this code.

"Banner sign" means a temporary sign publicizing a unique happening, action, purpose or occasion and constructed of lightweight cloth, canvas, paper or similar material.

"Business associates sign" means lettering on the building or windows of a building indicating the owners, operators or associates of the business or occupancy.

"Changeable copy sign" means a sign that is characterized by changeable copy, letters symbols, or numerals.

"Campaign sign" means a sign that is designed to influence the passage or defeat of any measure on a ballot or to influence voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state, or local election.

"Commercial message" means any wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a commercial or industrial business, product, good, service or other commercial or industrial activity.

"Commercial sign" means any sign that is intended to attract attention to a commercial or industrial business, occupancy, product, good, service, or other commercial or industrial activity for a commercial or industrial purpose.

"Construction sign" means a temporary sign denoting the architects, engineers, owners, lenders, contractors, future tenants and others associated with a construction project, but which contains no other advertising matter.

"Department" means the department of community development of the City of Arvin.

"Direct lighting" means a light source used which is detached from the sign to illuminate the sign surface.

"Director" means the director of the planning and building department or the director's designee.

"Directory sign" means a sign illustrating the general site plan and listing the businesses or establishments within an office complex, shopping center or industrial complex showing the locations of various buildings, uses or occupancies on a single display surface.

"Display surface" means that area of a sign or area structure utilized for displaying copy, messages or display.

"Double-face sign" means a sign that has two display surfaces; backed against each other or against the same supporting structure in such a manner that each display surface is designed to be viewed from a different direction.

"Erect" means to build, construct, attach, hang, place, suspend or affix to or upon any surface.

"Face or wall of a building" means the outer surface of any main exterior wall or foundation of a building, including windows and store fronts.

"Flashing sign" means any sign which, by method or manner of illumination, flashes, winks or blinks with varying light intensity, shows motion, or creates the illusion of motion; or revolves in a manner to create the illusion of being on or off.

"Freestanding sign" means any sign supported by one or more upright poles or rock, block, or masonry base in or upon the ground, other than an outdoor advertising structure, and not attached to a building.

"Fuel pricing sign" means a sign indicating, and limited to, the brand or trade name, method of sale, grade designation and price per gallon of gasoline or other motor vehicle fuel offered for sale on the premises, and such other information as may be required by law.

"Future construction sign" means a sign indicating the future location of a building and the developer of such building.

"Hand-held sign" means a sign that is held by or otherwise mounted on a person. For the purposes of this title, hand held sign does not include a noncommercial sign.

"Identification sign" means a sign that contains only the name, trademark or symbol, or address, of the building or occupant of the property.

"Illegal sign" means: (a) any sign originally erected or installed without first complying with all structural, locational, design, building, and electrical regulations in effect at the time of its construction or installation; (b) any commercial sign that is not maintained, or is not used to identify or advertise an ongoing business, occupancy, product,

good or service available on the site of the sign for more than 90 days; (c) any unsafe sign; (d) any legal nonconforming sign that has not been removed following the expiration of any applicable amortization period provided Chapter 17.52, Nonconforming Buildings and Uses, and in this code; and (e) any sign that is in violation of the provisions of this chapter.

"Incidental sign" means a sign indicating credit cards accepted, trade affiliations, no solicitation, no trespassing and similar property-related matters.

"Industrial park" means a group of four or more industries developed as an independent entity under a common plan and design with common off-street parking as an integral part thereof, the single units of which entity do not have direct access to a public street but with the entity as a whole having such direct access.

"Inflatable sign" means a sign that is inflated by air or other gaseous matter.

"Interior illumination" means the placement of lights on the interior of a sign panel designed to evenly distribute the source of light upon the translucent sign surface.

"Legal nonconforming sign" means a sign that was originally erected or installed in compliance with all structural, locational, design, building, and electrical regulations at the time of its erection or installation, but which no longer conforms to the provisions of this chapter.

"Lighted sign" means a sign that is illuminated by any source, whether internal, external or indirect.

"Marquee sign" means a sign affixed to a building that projects into a public or private right-of-way and which is typically used to identify movie or live performance or event attractions.

"Master sign program" means a plan showing the location, dimensions, area, color, lighting and materials of all signs located on a single parcel or parcels, either under the same ownership or under the same planned development permit.

"Menu board sign" means a wall or monument sign displaying a list of items available with prices at a drive-through business for the purpose of taking drive-through orders.

"Mobile sign" means the use of a moving trailer, automobile, truck, or any other vehicle to display commercial or noncommercial messages primarily for advertising purposes unrelated to the principal use of such vehicle.

"Monument sign" means a sign supported by a base constructed of concrete, block or rock material placed in or upon the ground that has no air space, columns or supports visible between the ground and the bottom of the sign.

"Moving, rotating or animated sign" means a sign which rotates, moves, flashes, blinks, or directs attention to or advertises with human or animal figures, or products sold, has animated movement by digital or electronic devices, or a sequence or series of flashing, flickering, rotating, moving, or blinking lights, excepting therefrom any sign as may show date, time, temperature or barometric information only.

"Multi-tenant sign" means a sign listing the names of the various tenants, which do not have direct access or visibility to a public street, occupying a building or buildings on a parcel of land or multiple parcels of land approved under a common plan with common off-street parking and access.

"Noncommercial message" means any wording, logo or other representation that does not directly or indirectly, name, advertise or calls attention to a commercial or industrial business, product, good, service or other commercial or industrial activity.

"Noncommercial sign" means a sign that does not name, advertise or call attention to a commercial or industrial business, commodity, product, good, service or other commercial or industrial activity for a commercial or industrial purpose.

"Office complex" means a group of 4 or more separate offices, developed as an independent functioning entity under a common plan and design with common off-street parking as an integral part of the plan and where the separate offices do not have direct access to a public street but the complex as a whole has such direct access.

"Off-site sign" means a commercial sign not located on the site of the business or entity indicated or advertised by the sign, or a commercial sign advertising a commodity, good, product, service or other commercial or industrial activity which originates on a site other than where the sign is maintained.

"Off-site sign" includes outdoor advertising structures.

"On-site sign" means any sign which directs attention to occupancy, business, commodity, good, product, service or other activity conducted, sold or offered upon the site where the sign is maintained. For the purposes of this title, all signs with noncommercial messages are deemed to be "on-site," regardless of location.

"Outdoor advertising structure" means a sign erected for the purpose of advertising a product, event, person or subject not related to the premises on which the sign is located (i.e., a billboard).

"Permanent sign" means any sign which is intended to be and is so constructed as to be of lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear and tear) and position and in a permanent manner affixed to the ground, wall or building.

"Portable sign" means a freestanding sign that is not permanently affixed, anchored or secured to either the ground or a structure on the premises it is intended to occupy, but does not include hand-held signs. For the purposes of this title, a portable sign does not include a noncommercial sign.

"Public convenience sign" means a sign that serves the public safety or convenience, such as a sign that indicates the entrance or exit to a property, identifies parking areas, or provides regulatory or service information of a noncommercial character.

"Real estate sign" means any temporary sign that relates to the sale, lease or exchange of all or a portion of the premises upon which it is located.

"Roof sign" means a sign erected upon or wholly supported by the roof of a structure.

"Shopping center" means a group of 4 or more separate stores developed as an independent functioning entity under a common plan and design with common off-street parking as an integral part of the design, and the single units of the entity do not have direct access to a public street but the entity as a whole does have such direct access.

"Sign face" means that portion of a sign intended to be viewed from one direction at a time.

"Subdivision directional sign" means a sign utilized for the purpose of indicating the flow of traffic or travel to reach a specific subdivision, and the copy of which is limited to identifying the subdivision together with specific directions to enable the traveler to locate the location of the subdivision.

Subdivision identification sign" means an on-site sign that identifies a subdivision, but contains no other advertising copy.

"Subdivision sale sign" means a temporary sign that contains the name of, and information relating to, a subdivision being offered for sale or lease for the first time, but contains no other advertising copy.

"Temporary sign" means any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, wood or other light materials, with or without frames, intended to be displayed for a limited period of time.

"Unsafe sign" means a sign posing an immediate peril or reasonably foreseeable threat of injury or damage to persons or property on account of the condition of the sign structure or its mounting mechanism.

"Window sign" means a temporary sign placed in or attached to the interior side of a window.

"Wall sign" means a sign applied to or mounted on or painted on the surface of a building and the display surface of which is parallel to or on the wall surface and which has no portion that projects more than 12 inches from the wall surface.

"Zone" means the zone district designation, definition or classification designated in Title 19 of this code.

The following definitions contained in Title 17.02 of this code (as they may be amended) apply to the provisions of this title:

- a. Yard, front;
- b. Yard, Rear;
- c. Yard, side;
- d. Street.

17.62.040 Applicability. This chapter regulates signs located on private property within all zoning districts of the city. This chapter also applies to signs within public rights-of-way, and to property owned by public agencies other than the city and

over which the city has zoning and land use regulatory power. Except where otherwise expressly provided in this chapter, all signs located in such areas of the city must be erected and maintained in conformity with this chapter.

17.62.050 General provisions.

A. **Sign permit required.** Except as otherwise expressly provided in this chapter, it is unlawful for any person to place, erect, structurally or electrically alter, change commercial message copy (except for changeable copy signs), move, or display any temporary or permanent sign without first obtaining a sign permit from the department in accordance with the provisions of this chapter. No additional sign permit is required for cleaning or other normal maintenance of a previously approved sign, unless a structural or electrical change is made.

B. **Owner's consent required.** The consent of the property owner or person in control or possession of the property is required before any sign may be erected on any private property within the city.

C. **Noncommercial signs.** Noncommercial signs are allowed wherever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this chapter. A permit is required for a permanent noncommercial sign only when a permanent commercial sign has not been previously approved. For purposes of this chapter, all noncommercial messages are deemed to be "on-site," regardless of location.

D. **Substitution of noncommercial messages.** Subject to the consent of the property owner or person in control or possession of the property, a noncommercial message of any type may be substituted for all or part of the commercial or noncommercial message on any sign allowed under this chapter. No special or additional approval is required to substitute a noncommercial message for any other message on a permitted sign, provided the sign structure is already approved or exempt from the sign permit requirement and no structural or electrical change is made. When a noncommercial message is substituted for any other message, however, the sign is still subject to the same design, locational and structural regulations (e.g., color, materials, size, height, illumination, maintenance, duration of display, etc.) as well as all building and electrical code requirements, as would apply if the sign were used to display a commercial message. In the event of any perceived or actual conflict

between the general provisions of this subsection and any other specific provisions in this chapter, the provisions of this subsection will prevail.

E. **Substitution of commercial messages.** The substitution of one commercial message for another commercial message is not automatically allowed nor is the free substitution of a commercial message in a place where only a noncommercial message is allowed. In addition, no off-site commercial messages may be substituted for on-site commercial messages.

F. **Legal nature of sign rights and duties.** All rights, duties and responsibilities related to permanent signs attach to the land on which the sign is erected or displayed and run with the land or personal property. The city may demand compliance with this chapter and with the terms of any sign permit from the permit holder, the owner of the sign, the property owner or person in control or possession of the property, or the person erecting the sign.

17.62.060 Signs not requiring a sign permit. The following signs do not require a sign permit under Section 17.62.070[Administration], nor will the area of such signs be included in the maximum area of signs permitted; provided, however, that each such sign must comply with all applicable requirements of this chapter. The intent of this section is to avoid unnecessary or time consuming review procedures where certain permitted signs are minor or temporary or the erection of such sign does not require review for compliance with the city's building or electrical codes.

- A. Campaign signs.
- B. Construction signs.
- C. Hand-held noncommercial signs.
- D. Real estate signs.
- E. Temporary freestanding noncommercial signs permitted by Section 17.62.100 (K).

17.62.070 Administration.

A. **Purpose.** The purpose of a sign permit is to help ensure compliance with the provisions of this chapter, in particular, the provisions regulating the design, illumination, location, materials, number, size and type of sign.

B. **Sign permit application process.**

1. Where specifically required by this chapter, an application for a sign permit must be made in writing on the form provided by the department and accompanied by any required materials, plans and exhibits, and the required fee established by city council resolution.

2. The director shall initially determine whether the application contains all the information and items required by the provisions of this chapter and may be deemed complete.

3. All notices required by this chapter are deemed given upon the date any such notice is either deposited in the United States mail or the date upon which personal service of such notice is provided.

4. No sign permit application will be accepted if:

(a) The applicant has installed a sign in violation of the provisions of this chapter and, at the time of submission of the application, each illegal sign has not been legalized, removed or included in the application.

(b) There is any other existing sign code violation located on the site of the proposed sign(s) (other than an illegal sign that is not owned or controlled by the applicant and is located at a different business location on the site from that for which the approval is sought) that has not been cured at the time of the application.

(c) The sign permit application is substantially the same as an application previously denied, unless: (i) 12 months have elapsed since the date of the last application, or (ii) new evidence or proof of changed conditions is furnished in the new application.

(d) The applicant has not submitted for processing or obtained any applicable use permit.

C. **Standard sign permit review process.**

1. After receiving a complete sign permit application, the director shall cause the application to be reviewed and render a written decision to

approve or deny the application within 30 business days.

2. Determinations on sign permit applications are to be guided by the standards and criteria set forth in this chapter. An application shall be approved whenever the proposed sign conforms to all design, size, height and other standards for signs subject to a permit requirement, as such requirements are set forth in this chapter.

3. The director may refer certain sign permit applications to the planning commission for review. The planning commission's approval may be conditional so as to ensure compliance with the purposes and provisions of this chapter.

4. An application may be granted either in whole or in part when more than one sign or location is proposed by an applicant. When an application is denied in whole or in part, the determination of the director, his designee, or planning commission must be in writing and must specify the grounds for such denial.

D. Sign permit review: master sign programs, modifications, and variances.

1. **Master sign programs.** The director has the authority to authorize master sign programs with specific design standards to enable reasonable flexibility for unique circumstances and special design themes.

2. **Modifications.** The director may grant slight modifications in or approve signs deviating from the provisions of this chapter or any limitations imposed upon the use or general design of the sign and may authorize modifications from the permitted sign area, height or setback requirements not to exceed 10%. Before granting any such minor modification, the director must make the applicable variance findings set forth in Chapter 17.54 of this code.

3. **Variances.** The planning commission may grant variances from the provisions of this chapter for the erection and maintenance of signs when difficulties, unnecessary hardship or results inconsistent with the

general purpose of this chapter would otherwise occur and would deprive the owner of rights enjoyed by others. The application and review process for a sign variance will follow the applicable procedures set forth in Chapter 17.54 of this code.

E. **Time limit.** Signs authorized by a permit issued pursuant to this chapter must be erected within 1 year of the issuance of the permit, otherwise the approval will be null and void.

F. **Revocation of a sign permit.** Subject to Section 17.62.150 [Appeals], the director may revoke any permit approval upon refusal of the permit holder to comply with the provisions of this chapter after written notice of noncompliance and at least 15 days opportunity to cure.

17.62.080 General location, height and area standards.

A. Location standards.

1. Except as specifically provided in this chapter, no sign may be located upon or project over a public right-of-way.

2. Except as specifically provided in this chapter, no sign may extend above the eave line or parapet or the lowest point on the sloping roof of the building on which it is located.

3. Signs must be designed and located so as not to interfere with the unobstructed clear view of the public right-of-way and nearby traffic regulatory signs or any pedestrian, bicyclist or motor vehicle driver.

4. All signs authorized under this chapter must be placed on the side of the property facing on a public or private right-of-way.

B. **Sign height.** Sign height will be measured using the greatest vertical measurement from grade level along the base of the sign structure to the highest point of the sign.

C. **Sign area.** The surface area of any sign face will be computed from the smallest rectangles, circles or triangles which will enclose all words, letters, figures, symbols, designs and pictures, together with all framing, background material, colored or illuminated areas, and attention-attracting devices

forming an integral part of the overall display, but excluding all support structures, except that:

- 1. Superficial ornamentation or symbol-type appendages of a non-message-bearing character which do not exceed 5% of the surface area will be exempted from computation.
- 2. Wall signs painted on or affixed directly to a building wall, facade or roof, and having no discernible boundary, will have the areas between letters, words intended to be read together, and any device intended to draw attention to the sign message included in any computation of surface area.
- 3. Signs placed in such a manner, or bearing a text, as to require dependence upon each other in order to convey meaning will be considered one sign and the intervening areas between signs included in any computation of surface area.
- 4. Spherical, cylindrical or other three-dimensional signs not having conventional sign faces will be computed from the smallest three-dimensional geometrical shape or shapes which will best approximate the actual surface area of such faces up to an eight-sided shape.
- 5. Logos and graphics will be included as part of the calculation of sign area.

17.62.090 Design, material, construction and maintenance standards.

Each permanent sign that requires a permit must comply with the following standards:

- A. **Materials and colors.** All permanent signs must be constructed of durable materials that are compatible in appearance to the building supporting or identified by the sign. Sign colors and materials should be selected to be compatible with the existing building designs and should contribute to legibility and design integrity.
- B. **Relationship to buildings.** Each permanent sign located upon a site with more than one main building, such as a commercial, office or industrial complex must be designed to incorporate the materials common or similar to all buildings.

C. **Relationship to other signs.** Where there is more than one sign on a site or building, all permanent signs must have designs that similarly treat or incorporate the following design elements:

1. type of construction materials;
2. sign/letter color and style of copy;
3. method used for supporting sign (i.e., wall or ground base);
4. sign cabinet or other configuration of sign area;
5. illumination; and
6. location.

D. **Sign illumination.** Illumination from or upon any sign must be shaded, shielded, directed or reduced so as to minimize light spillage onto the public right-of-way or adjacent properties, and in no event may illumination be permitted to cause such excessive glare as to constitute a potential hazard to traffic safety. Externally illuminated signs must be lighted by screened or hidden light sources.

E. **Construction.** Every sign, and all parts, portions and materials thereof, must be manufactured, assembled and erected in compliance with all applicable state, federal and city regulations including the city's building code and electrical code. Under no circumstances may a permanent sign have an exposed back.

F. **Maintenance.** Every sign and all parts, portions and materials must be maintained in good repair. The display surface of all signs must be kept clean, neatly painted, and free from rust, cracking, peeling, corrosion or other states of disrepair. This maintenance obligation includes the replacement of malfunctioning or burned out lamps, replacement of broken faces, repainting of rust, chipped or peeling structures or faces within 15 days following written notification by the city. When there is a change or discontinuance of a business or occupancy such that a sign no longer represents a place of business or occupancy, the sign must be removed or the name of the prior business or occupant either removed, or the sign face covered in a manner that blends with the building or supporting structure.

G. **Restoration of building or property upon sign removal.** Within 30 days of the removal of a sign from a building wall or from the grounds of the premises if a freestanding sign, the wall of the building or the grounds of the premises must be

repaired and restored to remove any visible damage or blemish left by the removal of the sign.

17.62.100 Signs permitted in all zones.

The following signs are permitted in all zones subject to the applicable regulations:

A. Campaign signs.

1. Number. Each parcel may have 1 temporary freestanding campaign sign for each political candidate or issue on each street frontage.
2. Area. In agricultural, commercial, and industrial zones, no campaign sign may exceed 32 square feet in area per face. A campaign sign may be double faced if it is placed perpendicular to the right-of-way. In residential areas, no campaign sign may exceed 6 square feet in total area per face and may be double-faced.
3. Height. No freestanding campaign sign may exceed 4 feet in height.
4. Location. Campaign signs may be placed in the front, side or rear yard of any parcel that fronts, sides or rears on a public street. No campaign sign may encroach into the public right-of-way.
5. Time limit. All campaign signs must be removed within 7 days following the election for which they are intended. If not timely removed, the sign will be deemed to be abandoned and may be removed by the city without notice.
6. Lighting. Campaign signs may not be illuminated.

B. **Construction signs.**

1. Number. Any parcel with construction activity under a valid building permit is permitted 1 construction sign.
2. Area. A construction sign may not exceed 32 square feet in area.
3. Height. A freestanding construction sign may not exceed 8 feet in height.

4. Location. Construction signs must be parallel to a public right-of-way but may not encroach into the right-of-way.

5. Time limit. A construction sign may not be erected until after the issuance of the applicable building permit. The sign must be removed before issuance of a certificate of occupancy is issued.

6. Lighting. Construction signs may not be illuminated.

C. Flags.

1. Number. Flag poles may be erected on any parcel with a limit of 3 flags per flag pole, which may include a flag of the United States, California, the city, or a corporate or philanthropic or charitable use.

2. Area. The size of any flag must be compatible with the size and design of the flag pole. All flags must be contained within the property boundaries where they are displayed.

3. Height. An applicant must obtain a building permit for all poles that are 6 feet or higher, and the height of the flag pole may not exceed that permitted for structures in the zone in which it is intended to be erected.

4. Lighting. Flags may be illuminated.

D. Future construction signs.

1. Number. Any parcel approved for future construction is permitted 1 future construction sign.

2. Area. A future construction sign may not exceed 32 square feet in area.

3. Height. A future construction sign may not exceed 8 feet in height.

4. Location. Future construction signs must be erected parallel to a public right-of-way but may not encroach into the right-of-way.

5. Time limit. A future construction sign may be erected following approval of a planned development permit, conditional use permit or similar entitlement. In the event construction does not start within this one year following the date of the applicable approval, the sign must be removed unless an extension of time is approved by the Director. The sign must be removed if a construction sign is erected and must be removed in any event before a certificate of occupancy is issued.

6. Lighting. Future construction signs may not be illuminated.

E. **Public convenience signs.** Public convenience signs may be authorized and approved by the director when the director finds such signs are necessary. No sign may exceed 5 square feet in area.

F. **Real estate signs.**

1. Number and area.

(a) In agricultural, residential, and open space zones, 1 wall-mounted or freestanding real estate sign is permitted for a parcel on each street frontage, provided the sign does not exceed 6 square feet in area for each sign face. Mobile home parks may have a real estate sign that does not exceed 16 square feet in area for each face.

(b) In the commercial and industrial zones, 1 wall-mounted or freestanding real estate sign is permitted for a parcel on each street frontage, provided the sign does not exceed 24 square feet in area for each sign face.

2. Height. Freestanding real estate signs may not exceed the following heights:

(a) In the agricultural, residential, and open space zones, signs may not exceed 6 feet (8 feet for mobile home parks).

(b) In the commercial and industrial zones, signs may not exceed 8 feet.

3. Location. Freestanding real estate signs may be placed in front yard set back areas, provided such signs are located at least 10 feet away from any adjacent street.

4. Time limit. All real estate signs must be removed within 15 days after the applicable property has been rented, leased or sold.

5. Lighting. Real estate signs may not be illuminated.

G. Subdivision directional signs.

1. Number. An applicant may request up to 4 directional signs for any one subdivision project. The director shall review the general arterial streets serving the development and the necessity for various turning movements in order to determine the actual number of directional signs that will provide proper access to the subject subdivision.

2. Area. Subdivision directional signs may not exceed 32 square feet in area per face.

3. Height and location. Subdivision directional signs may not be placed in a 30-foot corner cutoff area, or within 200 hundred feet of any other subdivision directional sign. The height and location of each subdivision directional sign will be determined by the director.

4. Security. A bond or similar security in an amount and form satisfactory to the city is required to be posted to guarantee removal of any approved subdivision directional signs.

5. Time limits. A subdivision directional sign must be removed after it has been erected for 2 years or when all of the subdivision has been sold, whichever occurs first. This time limit may be extended by the director.

6. Lighting. Subdivision directional signs may not be illuminated.

H. Subdivision sale signs.

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1. Number. Each subdivision is permitted 1 subdivision sale sign.
 2. Area. Subdivision sale signs may not exceed 100 square feet in area per face.
 3. Height. Subdivision sale signs may not exceed 25 feet in height.
 4. Lighting. Subdivision sale signs may not be illuminated.
 5. Time limits. A subdivision sale sign must be removed after it has been erected for 2 years or when all of the subdivision has been sold, whichever occurs first. This time limit may be extended by the director.

I. Subdivision identification sign.

1. Number. A subdivision identification sign is permitted at any direct entrance (not to exceed 2) from a limited access road that borders the development. The sign may be either a monument sign or a wall sign.
2. Area. Subdivision identification signs may not exceed 25 square feet in area per face.
3. Height. If a monument sign is used, the height may not exceed 8 feet.
4. Lighting. Subdivision identification signs may not be illuminated unless the maintenance is assumed by a property owners' association as part of the recorded conditions, covenant and restrictions for the project.

J. Temporary agricultural stand signs. Temporary agricultural stands are permitted 30 square feet of wall sign area on the building frontage on a public street. No sign may be illuminated.

K. Temporary freestanding noncommercial signs.

1. Number. In residential zones only, each parcel is permitted 2 temporary freestanding noncommercial signs at all times. Such signs are in addition to all other signage allowed in this chapter.

2. Area. A temporary freestanding noncommercial sign may not exceed 6 square feet in area.

3. Height. A temporary freestanding noncommercial sign may not exceed 4 feet in height.

4. Location. Temporary freestanding noncommercial signs may be placed in the front yard or side yard of any property, provided that the signs do not encroach into any public right-of-way.

5. Lighting. Temporary freestanding noncommercial signs may not be illuminated.

L. **Window signs.** Temporary window signs are allowed on the inside portion of the window or on the interior of the building within 3 feet of the window. Window signs may not exceed 25% of any single window or the total window area provided on the frontage on which the sign is displayed. This provision is not intended to restrict signs utilized as part of a window display of merchandise when such signs are incorporated within the display.

17.62.110 Signs permitted in residential zones.

In addition to any other applicable signage allowed under this chapter, the following signage is permitted in residential zones:

A. **Multi-family housing.** Apartment, condominium and townhouse projects are permitted 1 identification sign, which may be a monument sign or a wall sign, not exceeding 20 square feet in area per face, 8 feet in height if a monument sign, and may be shadow lighted.

B. **Mobile home parks.** Each mobile home park is permitted 1 lighted or unlighted identification sign. The sign area may not exceed 30 square feet if single faced or 20 square feet if double faced, and the sign height may not exceed 6 feet.

C. **Public facilities.** In all residential zones, churches, schools, hospitals, public facilities, institutional, conditional and special uses are permitted:

1. One lighted or unlighted double-faced monument or single-faced wall identification sign, not to exceed 40 square feet in area, with the size and location to be determined by the planning commission. A monument

sign may not exceed 8 feet in height, and a freestanding sign may not exceed 12 feet in height.

2. One temporary banner sign, not to exceed 36 square feet in area. A banner sign may be erected up to 4 times a year for a period not to exceed 30 days. The banner sign must be removed within 5 days of the conclusion of any event or activity which it advertises.

17.62.120 Signs permitted in Commercial and Manufacturing Zones.

The following regulations shall apply in Commercial and Manufacturing Zones.

A. All new signs, renovated signs, or commercial copy changes to existing signs, shall go through the design review process to ensure that they conform to design guidelines.

B. Maximum square footage is to be computed on the basis of Table 1.

C. A sign may project over the public right-of-way in a commercial or manufacturing district only if the sign is one of the following:

1. Parallel with the street and is on top of or flat against a canopy.
2. Does not exceed five square feet.
3. A theater marquee sign in which an integral part of the marquee overhangs the public right-of way.
4. Discloses only time and temperature.
5. Is perpendicular with the street and is designed for viewing by pedestrians, not greater than five square feet, and is not internally illuminated.
6. Signs encroaching into California Department of Transportation's rights-of-way shall obtain an approved encroachment permit from that agency.
7. Have vertical clearance of eight feet from adjacent grade.

D. Portable signs may be permitted for businesses which do not have direct frontage upon any street, provided all of the following are met:

1. The business does not have the option of participating in a redevelopment agency directory sign.

2. The sign has received site plan and architectural approval from the Planning and Building Department.
3. An encroachment permit has been issued for each applicable sign on public property.
4. The sign is displayed only during the hours the business is open for customers.
5. The design and location are consistent with the approved portable sign design guidelines.

E. Signs shall be set back from the street right-of-way line at least five feet.

F. The following formula for maximum square footage of signs shall determine the total area allowed for signs on each premise. If premises do not front upon the ground level of a street, public way or public or customer parking area, the total area shall not be increased.

Table 1

Formula for Maximum Square Footage of Signs	
Premise's Frontage (In Linear Feet)	Maximum Permitted Sign Area (In Square Feet)
5	15
10	30
20	42
40	64
60	86
73	100
above 73	100

17.62.130 Prohibited signs.

The following signs are prohibited in all zones:

- A. Bunting, streamers, and pennants, except banner and flag signs permitted per Section 17.62.
- B. Devices projecting or otherwise reproducing the image of a sign or message on any surface or object.
- C. Flashing signs.
- D. Hand-held commercial signs.
- E. Inflatable signs.
- F. Mobile signs.
- G. Moving, rotating or animated signs.
- H. Off-site signs.
- I. Outdoor advertising structures.
- J. Portable commercial signs.
- K. Sign message containing advertisement only, except those permitted per Section 17.62.020.
- L. Roof signs.
- M. Signs located in such a manner to constitute a potential traffic hazard or obstruct the view of any authorized traffic sign or signal device, or designed to resemble or conflict with any authorized traffic control sign.
- N. Signs emitting audible sounds, odors or particulate matter.

17.62.140 Removal of signs.

O. **Unsafe signs.** Any unsafe sign may be removed by the city without prior notice. Alternatively, the director may issue a notice of violation and give the permit holder, property owner or person in possession and control of the property 15 days to cure the violation. In the case of an unsafe sign removed by the city, the costs of such removal and storage shall be borne by the permit holder, property owner, or person in possession and control of the property, as applicable, and may be collected by the city in the same manner as it collects any other debt or obligation. No unsafe sign that has been removed and stored by the city may be released until the costs of removal and storage have been paid. If an unsafe sign remains unclaimed for a period of 30 days after notice of removal is sent to the permit

holder, property owner, or person in possession and control of the property, it will be deemed to be unclaimed personal property and may be disposed of in accordance with the law.

P. **Illegal signs.** Any illegal sign must be removed or brought into conformity by the permit holder, property owner, or person in possession and control of the property following written notice from the director. Such notice must specify the nature of the violation, order the cessation thereof and require either the removal of the sign or the execution of remedial work in the time and in the manner specified by the notice. The time for removal or repair may not be less than 15 days from the date of mailing the notice. The director's order may be appealed to the planning commission in the manner provided in Section 17.62.150[Appeals].

Q. **Legal nonconforming signs - special circumstances.** In accordance with California Business & Profession Code section 5499, no legal nonconforming sign will be required to be removed on the sole basis of its height or size if special topographic circumstances would result in a material impairment of visibility of the sign or the owner's or user's ability to adequately and effectively continue to communicate to the public through the use of the sign. The owner or user may maintain the sign at the premises and at a location necessary for continued public visibility at the height or size at which the sign was previously lawfully erected pursuant to all applicable codes, regulations and permits. Any such sign will be deemed to be in conformance with this chapter.

R. **Abatement of signs.** Whenever the permit holder, property owner, or person in possession or control of the property fails to comply with an order of the director requiring compliance with this chapter, the city may abate any such sign in the manner set forth in Chapter 17.58 of this code.

17.62.150 Appeals.

S. **General procedure.** Any person seeking to appeal a decision of the director or planning commission granting or denying an application for issuance of a sign permit, revoking a permit or ordering the remediation or removal of a sign, may appeal such action, first to the planning commission if pertaining to a decision of the director, and if dissatisfied with the decision of the planning commission, then to the city council in the manner provided by this section.

T. **Effective date of decision.** Decisions of the director or planning commission under this chapter will be final and conclusive on the tenth consecutive calendar day following the date of the director's or planning commission's decision, unless an effective timely and complete appeal is filed as provided in this section.

U. **Form of appeal.** An appeal must:

1. be in writing on a form provided by the department of community development;
2. identify the director's or planning commission's action to which the appeal relates;
3. be filed with the department prior to the decision to which the appeal relates becomes final; and
4. be accompanied by a processing fee in an amount set by the city council.

V. **Stay of proceedings.** The timely filing of an effective appeal will stay the decision of the director or planning commission to which the appeal relates pending final action by the planning commission or city council on the matter.

W. **Hearing.** The department shall expeditiously schedule a hearing before the planning commission or city council, as applicable, not later than 30 days after the notice of appeal is received by the city and give written notice of the time and place of the hearing to the appellant; provided, however, the hearing may be held after such 30 day period upon the request or concurrence of the appellant. Action on the appeal shall be taken at the time of the hearing by the planning commission or city council, as applicable, unless the appellant requests a continuance.

X. **Judicial review.** Any person dissatisfied with the final action taken by the city council may seek prompt judicial review of such decision pursuant to California Code of Civil Procedure section 1094.8."

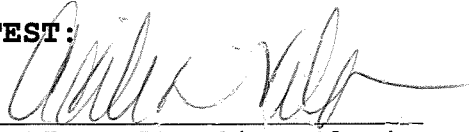
I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the 23rd day of June 2009, and adopted the Ordinance after the second reading at a regular meeting held on 14th day of July, 2009, by the following roll call vote:

AYES: CM Pichardo, CM Flores, MPT Ojeda, Mayor Tarver

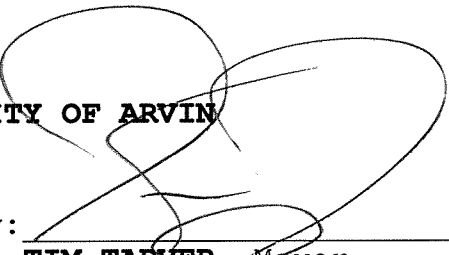
NOES: _____

ABSENT: CM Guzman

ABSTAIN: _____

ATTEST: 

CECILIA VELA, City Clerk

CITY OF ARVIN

By: _____
TIM TARVER, Mayor

APPROVED AS TO FORM

By: 

RACHEL RICHMAN, City Attorney