

ORDINANCE NO. 679

AN ORDINANCE OF THE CITY OF FOSTER CITY AMENDING TITLE 15 BUILDING AND CONSTRUCTION AND TITLE 17 ZONING OF THE FOSTER CITY MUNICIPAL CODE, BY REPEALING CHAPTER 15.12 SIGN CONTROL AND REPLACING IT WITH A NEW CHAPTER 17.59 SIGN CONTROL AND FINDING THE AMENDMENTS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINE SECTION 15061(B)(3) - RZ2024-0004

CITY OF FOSTER CITY

WHEREAS, the City of Foster City's ("City") sign regulations are currently codified in Chapter 15.12 of the City Municipal Code ("Sign Ordinance"); and

WHEREAS, the City Council initially adopted the Sign Ordinance in 1989 and subsequently adopted several amendments to the Sign Ordinance including in the years 2005, 2006 and the most recent amendment in 2022; and

WHEREAS, the Sign Ordinance is intended to regulate signs located on property within the City over which the City has regulatory authority; and

WHEREAS, the Sign Ordinance also minimizes the possible adverse effects of signs placed on nearby public and private property, including streets and public rights-of-way; and

WHEREAS, caselaw supports the use of content-neutral regulations to address aesthetic and safety concerns relating to signs, such as location, quantity, quality and durability of materials, size, illumination, and portability; among other things; and

WHEREAS, caselaw allows different levels of protection for noncommercial speech and commercial speech; and

WHEREAS, signs may significantly impact the aesthetic appeal and the visual environment of the City; and

WHEREAS, signs may significantly impact safety, traffic, and circulation issues by creating distractions to motorists or blocking motorists' line of sight; and

WHEREAS, signs may significantly impact pedestrian access and safety by blocking sidewalks and other walkways; and

WHEREAS, the City desires to update the Sign Ordinance to ensure that signs continue to be regulated in an even-handed manner while also furthering the City's aesthetic and public health, welfare, and safety concerns; and

WHEREAS, the City desires to relocate Chapter 15.12 Sign Control from Title 15 Building and Construction to Title 17 Zoning, and create a new Chapter 17.59 Sign Control; and

WHEREAS, on March 7, 2024, the Planning Commission held a study session to update the public and the Planning Commission regarding proposed amendments to the Sign Ordinance; and

WHEREAS, on March 21, 2024, the Planning Commission conducted a duly and properly noticed public hearing to take public testimony and consider a Resolution regarding repealing Chapter 15.12 Sign Control and replacing it with a new Chapter 17.59 Sign Control, and after conducting the public hearing, adopted Resolution No. P-6-24 with the Planning Commission recommending City Council repeal Chapter 15.12 Sign Control and approve new Chapter 17.59 Sign Control; and

WHEREAS, the proposed amendments are exempt pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of having a significant effect on the environment; and

WHEREAS, on April 3, 2024, a public hearing notice was duly published and posted in three public places pursuant to California Code Section 65090 for the City Council public hearing on April 15, 2024.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FOSTER CITY DOES ORDAIN AS FOLLOWS:

Section 1. The City Council does hereby find and determine based upon the aforementioned Record as follows:

1. The foregoing Recitals are true and correct and are incorporated herein by this reference.
2. The proposed amendments are internally consistent with all other provisions of the General Plan and do not conflict with any of the previously adopted goals, policies, or programs of the General Plan.
3. The proposed amendments are necessary to implement the goals and policies of the General Plan through the implementation of the Housing Element.
4. The proposed amendments will not be detrimental to the public interest, convenience, and general welfare of the City.
5. The proposed amendments are exempt from CEQA Guideline Section 15061(b)(3) and consistent with Public Resources Code Section 21080.17.

Section 2. Amendment. Chapter 15.12 “Sign Control” within Title 15 “Building and Construction” of the Foster City Municipal Code is hereby amended by repealing the existing Chapter 15.12 in its entirety and replacing it creating Chapter 17.59 “Sign Control”

in Section 17 “Zoning” to read as set forth in the attached Exhibit A, as listed below and attached hereto and incorporated herein by reference:

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council does hereby declare that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 4. Taking Effect. This Ordinance shall take effect and be in force thirty (30) days from and after its adoption.

Section 5. Posting. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall have it posted in three (3) public places designated by the City Council.

This Ordinance was introduced and read on the 15th day of April, 2024, and passed and adopted on the 6th day of May, 2024, by the following vote:

AYES: Councilmembers Hindi, Jimenez, Kiesel, and Mayor Sullivan

NOES: Councilmember Froomin

ABSENT: None

ABSTAIN: None

DocuSigned by:
Patrick Sullivan
11F9C0D6701045B...
PATRICK SULLIVAN, MAYOR

ATTEST:

DocuSigned by:
Priscilla Schaus
6121E59FA33B2AF...
PRISCILLA SCHAUS, CITY CLERK

EXHIBIT A

A new Chapter 17.59 is hereby added as follows:

Chapter 17.59

SIGN CONTROL

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17.59.010 Purpose, Objective and Intent.

The purpose of this chapter is to establish standards for signage which help people find what they need without difficulty or confusion and to help preserve and improve the appearance of the city. Therefore, all signs shall be regulated to assure that they promote both the goals and objectives of the community and public health, safety, and general welfare.

This chapter establishes standards for the erection, display, safety, and maintenance of signs which are intended to meet the following objectives:

Public Welfare. The city, as a unique planned community, has greatly avoided the influences of traditional community development where signing proliferated to a point detrimental to the value and quality of the community before being regulated. The opportunity to achieve an environment free from such circumstances exists in the city and therefore shall be pursued wherever possible in order to build a community of the highest value and quality in which all citizens may take pride and enjoyment.

Healthy Economy. An objective of this chapter is to allow businesses to identify themselves so that clients can find them with a minimum of confusion. This is achieved by effective signing which is necessary, concise, well designed, and well executed. It is recognized that signs are an economical and effective means of communicating information and are thus an important asset to most businesses.

Freedom of Speech for Signs. The city recognizes the importance of signs in the exercise of free speech. The city finds it necessary to regulate the time, place, and manner of the placement of signs for the following reasons:

- A.** Prohibition of signs on public street medians, bridges, public utility box or any poles used for public utility, traffic control signs, traffic signals, or street signs is necessary to: prevent visual distractions to motorists which create traffic hazards, prevent unsafe road conditions, and to prevent eyesores from proliferating along public streets.
- B.** Regulation of the size of signs is necessary for safety and aesthetic reasons, specifically, that the strong winds that are common in Foster City would remove the signs, creating hazards and accumulation of debris, and extremely large or illuminated signs would create a distraction to motorists.

17.59.020 Applicability.

The standards in this chapter shall apply to all signs in all zoning districts in the city constructed or physically altered on or after the effective date of this title. Only signs authorized by this chapter shall be allowed unless otherwise expressly provided in this chapter.

17.59.030 Definitions. As used in this chapter, the terms listed below are defined to mean the following:

“Abandoned Sign” means a sign which no longer directs, advertises, or identifies a legal business establishment, product, or activity on the premises where such sign is displayed.

“Advertising Structure” means a structure erected or used for the purpose of supporting or displaying a message or sign.

“Affected Wall Surface Area” means the solid wall surface area between the top story row of windows and the roof line running the length of the building elevation (or the subject portion of the building elevation) on which the sign is proposed to be placed or the surface area of any separate element of the building on which the sign is proposed to be placed, provided that the separate element is located at or near the top of the building.

“Aggregate Total Glass Surface Area” means the product of multiplying the length times the width of the storefront glass surface along a single building elevation with the proviso that window panel separations

(mullions, grids, etc.) that are less than six inches wide shall be counted within the aggregate total glass surface area available for signage, and window panel separations or building structural elements separating windows that are six inches or greater shall not be included within the aggregate total glass surface area available for signage. In the case of stores with more than one building elevation with window glass, the aggregate total glass surface area available for the placement of signage shall be calculated based on the dimensions of each individual elevation. Unused amounts of aggregate total glass surface area from one elevation shall not be applied to any other elevation.

“Approving Authority” means that person or body (community development director, planning commission or city council) which has authority pursuant to the provisions of this chapter to approve an application for a sign permit.

“Awning” means a shelter supported entirely from the exterior wall of a building and composed of nonrigid materials except for the supporting framework.

“Banner” means a sign composed of flexible material either totally or partially secured to a structure and when partially secured is intended to be moved by the wind.

“Billboard” means a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

“Building Frontage” means the width of the face of a building abutting the public right-of-way or primary pedestrian access.

“Bulletin Board” means a board, either in a freestanding kiosk or on a wall, on which temporary bulletins or notices are posted.

“Business Face; Frontage” means the exterior surface of a building given to an individual business, including exposed foundation, windows, doors, parapet, fascia, and wall area, but not including any overhanging fascia, canopy, marquee, awning, or roof surface.

“Business Frontage (primary)” means the width of the face of a business abutting, or if not abutting, exposed to a public right-of-way. In the case of multiple frontages abutting public rights-of-way, the longest frontage shall be considered the primary business frontage.

“Business Frontage (secondary)” means the width of the face of a business abutting a secondary street, freeway, parking lot, or pedestrian access.

“Cabinet; Can; Lightbox; Panel Sign” means an internally illuminated sign consisting of a frame with a continuous translucent message panel.

“Canopy” means a permanent structure extending from part or all of a building elevation for the purpose of providing shade or shelter.

“Canopy Sign” means a sign mounted to the face, above, or suspended below the canopy structure.

“Changeable Copy Sign” means a sign that is designed so that characters or letters can be changed or rearranged without altering the face or the surface of the sign.

“**Channel Letter**” means a sign that includes a three-dimensional letter that may include internal illumination.

“**Commercial Office Building**” means a building used for administrative, professional, and business office purposes.

“**Commercial Center**” means a group of five or more contiguous businesses which utilize common off-street parking and access, which exhibit a common architectural design.

“**Commercial Uses**” means a retail or similar use in a commercial center or on a property zoned C-1 (retail business), C-A (commercial automobile repair and service), C-2/PD (town center commercial/planned development), or CM/PD (commercial mix/planned development district).

“**Construction Sign**” means any sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon. See Section 17.59.080K of this chapter.

“**Directional Sign**” means an incidental sign designed to guide or direct pedestrian or vehicular traffic.

“**Freestanding Sign**” means a permanent sign attached to the ground and which exhibits sign graphics on one or two faces. Both shall be the same on both faces where one side of the sign’s copy area shall satisfy any sign area requirements.

“**Freeway**” means State Highway 92 or State Highway 101.

“**Halo Lighting**” means illumination of individual letters, numbers, or graphics having an opaque surface, using internal, reverse illumination where the light source is not directly visible.

“**Identification Sign**” means a permanent sign which identifies a building, occupant, or activity conducted on the premises.

“**Illegal Sign**” See Section 17.59.140B of this chapter.

“**Illumination (external)**” means the illumination of a sign by a light source that is directed towards and shines on the face of a sign.

“**Illumination (internal)**” means any light from a source contained within the sign itself and the light source is not directly visible. Such signs shall be required to include a dimming device to reduce the intensity of light when necessary.

“**Industrial Center**” means a group of industrial buildings which utilize common off-street parking and access, and exhibits a common architectural design.

“**Inflatable Sign**” means a sign consisting of a flexible envelope of material(s) that gains its shape from blowing air into its volume.

“**Logo**” means a symbol, picture, or other graphic representation used by an entity to consistently identify itself.

“**Marquee Sign**” means a sign with changeable copy that may be a canopy or roof-like projection above the entrance to a theater, hotel, or other building, or a wall sign attached to a building, or a freestanding sign on the premises where the business is located.

“**Master Sign Program**” means a plan which identifies the placement, construction, size, materials, colors, method of lighting, and other related requirements for those signs that are subject to the plan.

“**Monument Sign**” means a sign that is erected on the ground or on a constructed base that is designed as an architectural element for the site.

“**Neon**” means tubes illuminated by a light source consisting of neon gas, other gases, LEDs, or other light sources which are bent to form letters, symbols, or other shapes.

“**Nonconforming Sign**”. See Section 17.59.140A of this chapter.

“**Off Premise Sign**” means a sign that is not located on the property of business which it is advertising.

“**Office Center**” means a group of commercial office buildings which utilize common off-street parking and access, and which exhibit a common architectural design.

“**Office Use**” means an administrative, professional, and business office use in an office center or on a property zoned C-O (Commercial Office District), C-1 (Neighborhood business district), C-2 (General Business District), or C-M (Commercial Mix District).

“**Painted Wall Sign**” means a sign painted directly on a building’s surface and shall comply with the dimensional development standards for wall signs in Section 17.59.080.

“**Parapet Or Parapet Wall**” means that portion of a building wall which rises above the roof.

“**Pedestrian Access (primary)**” means the single doorway located and designed to be the major entry to a building.

“**Pedestrian Access (secondary)**” means doorways, other than the primary pedestrian access, for gaining entry to a building.

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

“**Projecting; Blade Sign**” means a building mounted sign that projects perpendicular to the building’s surface.

“**Promotional Sales Sign**” means a sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, new services, a special sale, or similar purpose.

“**Property Frontage**” means the linear dimension of a parcel of property abutting a public street.

“**Public Convenience Sign**”. See Section 17.59.090 of this chapter.

“**Pylon Sign**” means a freestanding sign with a visible support structure.

“**Real Estate Sign**”. See Section 17.59.080K of this chapter.

“**School**” means a public or private elementary school, junior high school, or high school.

“**Setback**” means the distance measured to the property line.

“**Sign**” means a visual communications device used to convey a message to the viewer. A sign shall not include lighting or paint used to highlight the architectural features of a building which were approved pursuant to an architectural review application and does not include any devices placed inside a building which are not defined as window signs pursuant to this Section.

“**Sign Area**”. See Section 17.59.050A of this chapter.

“**Sign Base**” means the post(s) or supporting structure between the ground and the background or frame (if present) of a freestanding or monument sign.

“**Sign Copy**” means any words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign, but does not include color.

“**Sign Graphics**” means all lettering, logos, pictures, symbols, patterns, and depictions, including color, on a sign.

“**Sign Height of a Freestanding Sign**” means the distance from the average surface grade surrounding the base of the sign to the top of its highest element, including any structural element. Where a sign is placed on a mound, the height of the mound shall be included.

“**Sign Use Permit**” means an application to increase the normally allowed sign area, number of signs, types of signs, and/or to allow alternative locations of signs. See Section 17.59.040B.2(b) of this chapter.

“**Temporary Noncommercial Right-Of-Way Signs**” means a temporary sign for noncommercial purposes located in the city’s right-of-way. Temporary noncommercial right-of-way signs shall be subject to the provisions of Section 17.59.060M.

“**Temporary Sign**”. See Section 17.59.080 of this chapter.

“**Typical Sign Permit**” means a sign permit which is not a sign use permit or a variance sign permit.

“**Variance Sign Permit**” means a sign permit that allows an increase in the maximum standards set forth in this chapter such as height, size, and location of any sign, based on practical difficulties, unnecessary hardships, or results inconsistent with the general intent and purpose of this chapter. See Section 17.59.040B.2(c) of this chapter.

“**Vehicle Display; Wrap Sign**” means a sign attached to, or wrapping the surface of a motor vehicle which is parked on public or private property with the purpose of advertising to the public.

“**Wall Sign**” means a sign attached to and flat against a building wall or structure.

“**Window Sign**” means all signs in any nonresidential zoning district, visible from outside the building, and placed in any of the following locations (see Section 17.59.060E of this chapter for window signs exempt from sign permit requirements):

1. Affixed to or placed within three (3) feet of a window;
2. Neon signs placed within ten (10) feet of a window (see Section 17.59.100B (TABLE 3-A) of this chapter regarding prohibition of these neon signs); or
3. Neon signs placed ten (10) feet or more from a window (see Section 17.59.100B (TABLE 3-A) of this chapter regarding sign permits required for these neon signs).

17.59.040 Sign permits.

No sign shall be authorized, constructed, placed, altered, or moved except in conformity with these regulations and without first obtaining a sign permit where required, paying prescribed fees, and otherwise complying with all other applicable provisions of federal, state and local law, except as exempt pursuant to Section 17.59.060. No sign permit is required for exempt signs, or for cleaning or other normal maintenance of a properly approved sign, unless a structural or electrical change is made.

A. Permit application. To obtain a sign permit, the applicant shall first submit a permit application form, plans and/or specifications, and the required fees to the community development director or his, her, or their authorized representative. Depending on the proposal, one of the three following application types and requirements shall apply:

1. **Application.** Application for a Sign Permit shall be made upon forms furnished by the director and accompanied by the required fee and working drawings adequate to show:
 - (a) Site plan showing
 - (i) Location of building(s) and proposed signs (including tenant space location).
 - (b) Detailed elevation of sign(s) both new and existing, showing
 - (i) Dimensions of sign(s);
 - (ii) Sign Area;
 - (iii) Color;
 - (iv) Size and letter style of sign copy;
 - (v) Size and style of proposed logo;
 - (vi) Sign materials; and,
 - (vii) Method of illumination.

- (c) Schematic building elevation showing
 - (i) Dimensions of building frontage; and,
 - (ii) Exact location of existing and proposed signage (Photo simulations may be submitted for sign copy changes).
 - (d) Installation detail showing cross section through the sign and specifications of hardware and materials.
2. **Fees.** The applicant shall pay all applicable fees as set in the master fee and service charges schedule as adopted by resolution by the city council.

B. Criteria for Review.

1. **Community Development Director Review.**

- (a) **Administrative Sign permit.** A typical sign is one that meets the minimum requirements as set forth in this chapter and does not require a use permit or variance.

2. **Planning Commission Review.**

- (a) **Sign Use Permit for a master sign program and/or modifications to an existing master sign program.** The planning commission shall review and approve all signage requiring a master sign program, including modifications, except minor modifications as determined by the community development director under Section 17.59.120C.
- (b) **Sign Use Permit.**
 - (i) The planning commission may, upon approval of a use permit, allow additional sign types, amounts and locations over and above those set forth in any Section of this chapter.
 - (ii) Under such use permit sign request approval, the planning commission may increase normally allowed sign area by up to fifty percent (50%) for any sign and may allow such additional numbers and types of signs as may be deemed appropriate.
 - (iii) Prior to approving a sign use permit request, the planning commission shall find that the additional signage is in the public interest and that the signs will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, or injurious or detrimental to property or improvements in the neighborhood or the general welfare of the city.

- (c) **Sign permits requiring a variance.** The planning commission may, upon approval of a variance for signage, allow for the approval of sign permits when practical difficulties, unnecessary hardships as a result of parcel size and/or shape, topography, location, or surroundings such that the strict application of the standards contained in this chapter deprives the property of privileges enjoyed by other property in the vicinity and under identical use classification. Prior to approving a variance sign permit, the planning commission shall make the following findings:
- (i) Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the standards contained in this chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical use classification.
 - (ii) The variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity with the same use classification as the subject property.

C. Review and Approval.

1. Upon acceptance of a sign application, the Planning Division shall review the request for compliance with the standards and requirements of this chapter, and with any standards established in a Master Sign Program.
2. No permit for construction will be issued until design review, if required, has been granted and the application has been found in conformance with the approved design.
3. The community development director shall have the authority to determine what application(s) are required for all proposed signage; to administer the sign review process; to establish submittal and review requirements; and to determine the completeness of applications for any actions allowed or required under the provisions of this chapter.
4. The community development director shall have the authority to administratively approve minor modifications to approved sign permits with respect to colors, materials, elevations, site plans, landscape plans, lighting, and other physical changes of a similar nature. Modifications to approved permits shall be minor in nature, shall not affect the basic character of the sign; nor deviate from the intent of the planning commission as determined by the community development director, or from the requirements of this chapter.
5. The community development director may refer any sign permit to the planning commission for comment or final action.
6. The applicant shall obtain a building permit after the issuance of a sign permit.

D. Notice of Decision.

1. Written notice of the decision shall be provided to the applicant within ten (10) calendar days after the decision is rendered.
2. The Notice of Decision and/or Planning Commission Resolution shall clearly state any conditions of approval and applicable appeal provisions.

E. Appeals. In case the applicant or any other person is not satisfied with any decision to approve or deny a sign permit, they may appeal such decision as follows:

1. An appeal letter must be submitted specifying the following:
 - (a) The person making the appeal;
 - (b) The specific item of appeal, and all supporting documentation;
 - (c) The basis for such appeal and information substantiating the basis for appeal (e.g. failure to comply with the city's general plan, state or local laws; or stating reasons why the action of the community development director or planning commission would adversely affect surrounding property, the neighborhood, and/or the city); and,
 - (d) The relief or action sought.
2. Decisions of the community development director may be appealed to the planning commission, and decisions of the planning commission may be appealed to the city council.
 - (a) Any appeal must be submitted in writing within ten (10) calendar days of the decision and shall be accompanied by an appeal filing fee, set by resolution of the Council.
 - (b) Appeals of decisions of the community development director shall be submitted to the planning division. The appellant shall be notified in writing of the meeting date.
 - (c) Appeals of decisions of the planning commission shall be submitted to the city clerk for a hearing by the city council. The appellant shall be notified in writing of the meeting date.
 - (d) In any appeal, the burden of proof is upon the appellant.
3. If an appeal is granted and requires a sign to be modified or denied, the sign shall be modified or denied as directed by the body granting the appeal.

F. Sign permit issuance.

1. For sign permits issued by the community development director or planning commission, such approval shall not be effective until the following occurs:
 - (a) The appeal period expires and no appeal is filed; or
 - (b) An appeal is filed and a final determination is made by the body denying the appeal.

G. Additional permits and limitations.

In addition to the sign permit, a building permit may be required, such as a mechanical and/or electrical permit. It shall be the responsibility of the applicant to obtain such additional permits, if required, from the building official.

The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or approval of, any violation of the provisions of this chapter. No permit presuming to give authority to violate or cancel the provisions of this chapter shall be valid, except insofar as the work or use which it authorizes is lawful.

H. Expiration of sign permit.

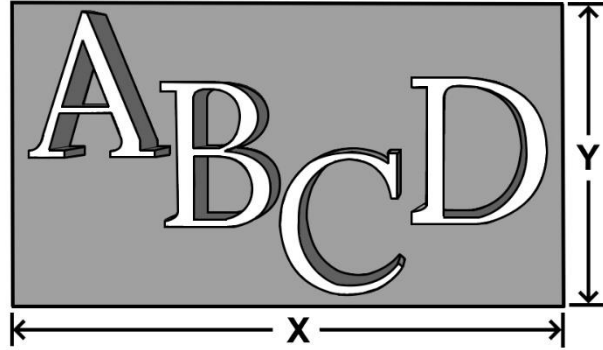
1. Every permit issued under the provisions of this chapter shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty days (180) from the date of such permit, or if the work authorized is suspended or abandoned at any time after the work is commenced, for a period of one hundred eighty (180) days.
2. The community development director may extend the time limit for reasonable cause and if no changes are made to the plans and specifications. Denial of a request for time extension may be appealed as provided in Section 17.59.040E.3.

17.59.050 Measurement of Signs.

A. Measuring Sign Area.

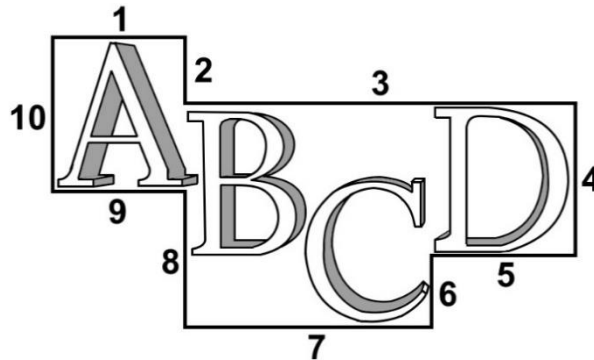
The area of a sign face includes the entire area within a single continuous perimeter composed of squares and rectangles that enclose the extreme limits of all sign elements, including, without limitation, sign structures or borders, written copy, logos, symbols, illustrations, and color. Supporting structures, such as sign bases and columns, are not included in the sign area, provided that they contain no lettering or graphics except for addresses or required tags.

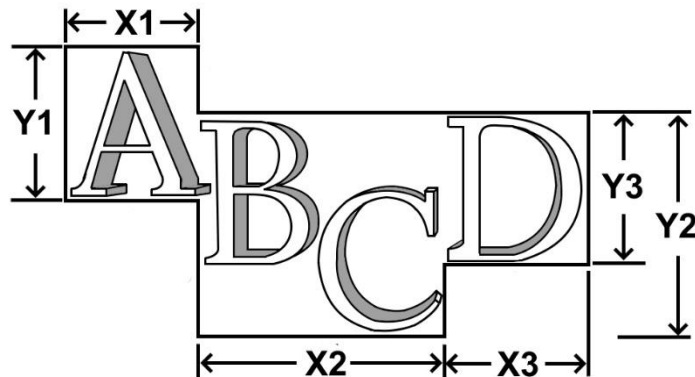
1. **Single-Faced Signs.** The sign area of a sign with a single face area is the area of the sign face.
 - (a) If the sign consists of an integral surface and has a regularly shaped perimeter, the area of the sign shall be calculated as the area within the perimeter.



Area = (X)(Y); where X is the width and Y is the height

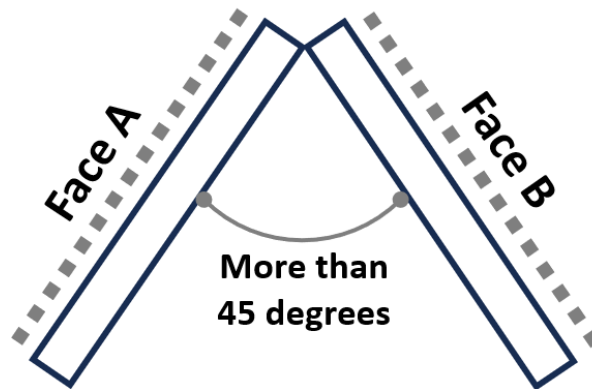
- (b) If the message surface consists of noncontiguous segments or has an irregularly shaped perimeter, then the area of the sign shall be all of the area encompassed within a single continuous rectilinear perimeter of not more than ten (10) straight lines enclosing the extreme limits of the message surface, and including any color, material, or graphic which is integrated therein which differentiates the message from the background against which it is placed.





$$\text{Area} = [(X1)(Y1)] + [(X2)(Y2)] + [(X3)(Y3)]$$

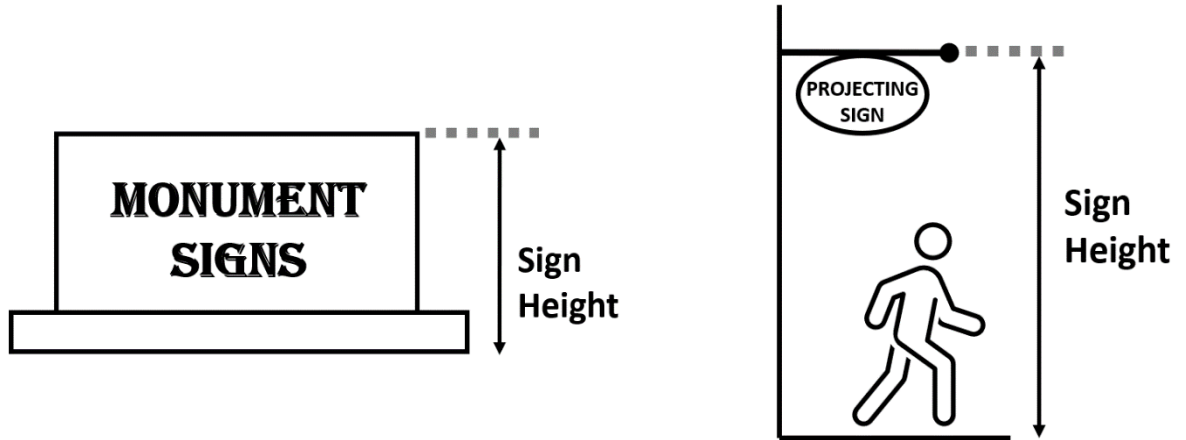
2. **Double-Faced Signs.** Where two (2) faces of a double-faced sign are located two (2) feet or less from one another at all points, or located at an interior angle of forty-five (45) degrees or less from one another, the sign area of double-faced signs is computed as the area of one (1) face. Where the two (2) faces are not equal in size, the larger sign face will be used. Where two (2) faces of a double-faced sign are located more than two (2) feet or greater than forty-five (45) degrees from one another, both sign faces are counted toward sign area.



Sign Area: Face A + Face B

3. **Multi-Faced Signs.** On a multi-faced sign, where at least one interior angle is forty-five (45) degrees or less, the area of two (2) faces (the largest and smallest face) must be summed to determine sign area. In all other situations involving a sign with three (3) or more sides, the sign area will be calculated as the sum of all faces.

- B. Height of Sign.** The height of a sign is the vertical distance from the highest element, including any structural element, to the existing grade immediately below the sign. If the sign is a freestanding sign located on a sloping surface, the measurement shall be taken from the highest element, including any structural element, to the average surface grade surrounding the base of the sign.



C. Frontage.

1. **Building Frontage.** A building's frontage is considered continuous if projections or recesses in a building wall do not exceed ten (10) feet in any direction. For buildings with two (2) or more frontages, the length of the wall and allowable sign area shall be calculated separately for each building frontage.
2. **Street Frontage.** The length of street frontage is measured along the property line adjacent to the public right-of-way.

17.59.060 Exempt Signs. Except as otherwise provided in this chapter, the following signs are declared to be exempt from the requirements of sign permit application, review, approval, and fees, but must adhere to all other regulations of federal, state and local laws:

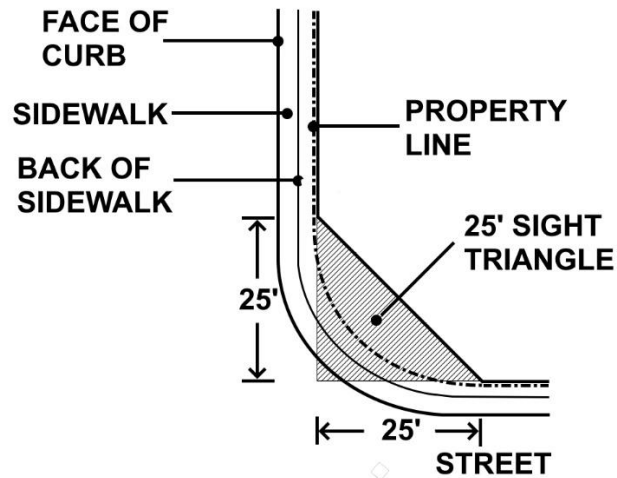
- A. Government Signs.** Government signs required by law and essential for public service including: traffic signs; pavement markings; fire and police signs; signals; devices and markings erected by Federal, State, or local governments, including, but not limited to the San Mateo County, the City and the Estero Municipal Improvement District.
- B. Utility Sign.** Signs erected by public utility companies with the permission of the community development director which serve the public safety or welfare.
- C. Interior Signs.** Signs placed on the interior of a property and inside of buildings not visible from the public right of way, not including window signs.
- D. Address Signs.** Residential street address signs for mid and high-rise buildings greater than two (2) stories that are used for building identification. Signs may include name of occupant,

or nonresidential street address signs, not exceeding one (1) square foot in area, which may be internally or externally illuminated.

- E. Window signs.** Permanent window signs painted on or otherwise adhered directly onto a window and signs that block a window in any way are subject to the following standards.
1. **Location.** Window signs shall not be mounted or placed on windows higher than the second story.
 2. **Size.** Maximum forty percent (40%) of the window area.
- F. Historic plaques and commemorative signs.** Historic plaques, memorial signs or tablets, or commemorative signs indicating names of buildings and dates of building erection, either attached to or cut into the surface of buildings.
1. **Size.** Maximum four (4) square feet in area.
- G. Flags.** Flags erected and located in accordance with the following standards:
1. **Location.** Flagpoles shall not be located within any required setback.
 2. **Height.** The maximum flagpole height is thirty (30) feet.
 3. **Number.** No more than two (2) flags per lot in Residential Districts, no more than three (3) flags per lot in all other districts.
 4. **Size.** The maximum individual flag size is thirty-two (32) square feet.
- H. Mobile vendor signs.** Signs affixed to mobile vending vehicles that identify or advertise the name, product, and/or service provided by the vendor.
- I. Commercial Signs Carried by Persons/ Commercial Mascot Signs.** Any sign carried and being displayed by a person, as long as it does not obstruct the use of any public right-of-way.
1. **Location.** Limited to Commercial and Mixed-Use Districts.
 2. **Number.** No more than two (2) commercial mascot signs per business.
 3. **Size.** The area of each sign held or attended by a person shall not exceed six (6) square feet.
 4. **Timing of Display.** Commercial Mascot signs shall not be displayed during hours when the business establishment related to the specific commercial mascot sign is not open to the public.
- J. Copy changes** on existing legally established signs using the same materials, colors, and typeface size and style.

- K. Signs integrated into certain devices.** Any sign integrated into or on a coin-operated machine, vending machine, fueling pump, or permitted sidewalk vendor receptacle.
- L. Temporary commercial signs for short-term sales or leases,** including, but not limited to, garage/yard sales or signs that advertise residential and commercial properties for sale, rent, or lease, shall be exempt from Section 17.59.080. These signs shall not be illuminated, shall be mounted on a post or “A” frame may be used subject to the following restrictions:
1. **Location.** Signs shall not be allowed on sidewalks, streets, medians, public rights-of-way, the city’s levee pedway/bikeway, or any other location where they interfere with vehicular sight distance, nor shall they be allowed to be taped, wired, glued, tied or in any way affixed to light poles, street signs, or any public property.
 2. **Number.**
 - (a) One (1) such sign shall be allowed where the sale is to take place.
 - (b) Up to four (4) additional signs, which may also exhibit directional arrows and instructions.
 - (c) No more than three (3) such signs shall be located on a single property.
 3. **No more than six (6) signs shall be located within forty (40) feet of an intersection.**
 4. **Size.** The area of each sign shall not exceed four (4) square feet.
 5. **Height.** Temporary commercial signs for short-term sales or leases mounted on a post shall be no taller than forty (40) inches.
 6. **Duration of display.** Temporary commercial signs shall not be displayed for more than ten (10) consecutive days and shall be removed no later than ten (10) days after the completion of the event.
- M. Temporary noncommercial right-of-way signs** which meet the following criteria:
1. **Location.** Temporary noncommercial right-of-way signs shall not be placed in any public street median, or on any bridge, public utility box, or any pole used for public utility, traffic control signs, traffic signals, or street signs. Temporary noncommercial right-of-way signs shall not be placed in any public parks or the city’s levee pedway/bikeway. Temporary noncommercial right-of-way signs shall not interfere with pedestrian or bicycle circulation on or along sidewalks, pathways, bicycle paths, or the city’s levee pedway/pedway.
- With the exception of public parks and the city’s levee pedway/bikeway, temporary noncommercial right-of-way signs may be placed on public property within the first ten (10) feet back of the sidewalk or ten (10) feet from the curb, when no sidewalk is present. In addition, temporary noncommercial right-of-way signs shall not be

placed in or along public rights-of-way in a manner that blocks views of walkways, pedestrians, or traffic control device, or creates a sight distance problem for the drivers of vehicles. No temporary noncommercial right-of-way signs shall be located within the twenty-five (25) foot sight triangle.



2. **Size.** Temporary noncommercial right-of-way signs shall be no larger than four (4) square feet.
3. **Height.** Temporary noncommercial right-of-way signs shall be no taller than forty (40) inches.
4. **Duration of Display.** Temporary noncommercial right-of-way signs relating to an upcoming event may be placed ninety (90) days prior to the date of the event and shall be removed no later than ten (10) days after completion of the event.
5. **Other Provisions.**
 - (a) **Illumination.** Temporary noncommercial right-of-way signs shall not be illuminated.
 - (b) **Removal.** Any temporary noncommercial right-of-way signs deemed to have damaged public property shall be subject to immediate removal by the city. Signs placed in violation of location requirements or otherwise placed in a manner that creates a hazardous condition shall be subject to immediate removal by the city.

N. Temporary noncommercial signs placed on private property signs which meet the following criteria:

1. **Size.**

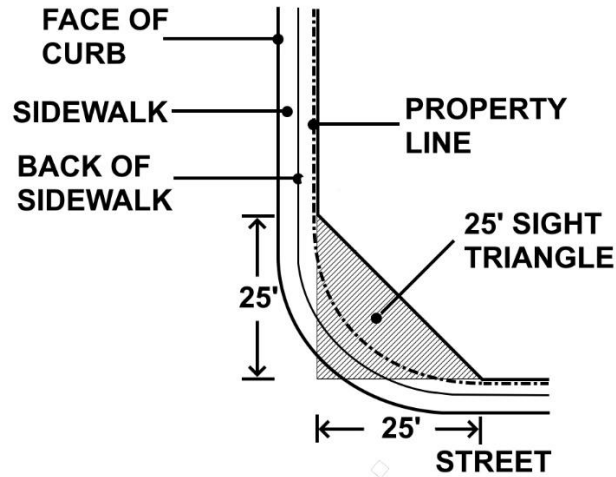
- (a) **Residential Districts.** Temporary noncommercial signs placed on private property shall be no larger than four (4) square feet.
 - (b) **Other Zoning Districts.** Temporary noncommercial signs placed on private property shall be no larger than eight (8) square feet.
- 2. **Height.** Temporary noncommercial signs placed on private property shall be no taller than forty (40) inches.
 - 3. **Duration of Display.** Temporary noncommercial signs relating to an upcoming event may be placed no earlier than ninety days prior to the date of the event and shall be removed no later than ten (10) days after the completion of the event.
 - 4. **Other Provisions.**
 - (a) **Illumination.** Temporary noncommercial signs shall not be illuminated.
 - (b) **Setback.** Temporary noncommercial signs shall be set back at least two (2) feet from all property lines.
 - (c) **Owner's Authorization.** Temporary noncommercial signs may only be allowed with the owner's consent.

17.59.070 Prohibited Signs. Except as otherwise provided in this chapter, the following signs and circumstances are prohibited:

- A. **"A" Frame Sign.** Any sandwich board "A" frame sign or other portable sign, except those signs allowed pursuant to Section 17.59.060 or Section 17.59.080 of this chapter.
- B. **Animated or Moving Signs.** Animated, flashing, blinking, reflecting, revolving, or other similar signs with visibly moving or rotating parts or visible mechanical movement of any kind, unless expressly permitted by another Section of this chapter. This provision does not apply to signs using digital display technology, such as LED (light emitting diodes) or functionally equivalent display methods, which are permitted, subject to the regulations of this chapter.
- C. **Balloons, Inflatable Signs, Streamers, Pennants, and Other Attention-Getting Devices.** Balloons, inflatable signs, streamers, pennants, and other attention-getting devices, made of light-weight fabric or similar material, designed to rotate or move with the wind, that direct, promote, or that are otherwise designed to attract attention are prohibited. Businesses that do not have a business frontage abutting a public right-of-way may apply for an administrative sign permit.
- D. **Banners and pennants** (except as allowed by Section 17.59.070 of this chapter).
- E. **Billboard.** Signs specifically allowed to direct attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the property on which the sign is located.

- F. Changeable Copy Signs.** Except those specifically allowed by Section 17.59.060E and Section 17.59.090 of this chapter.
- G. Freeway Signs.** Signs facing a freeway except secondary frontage commercial business identification signs allowed pursuant to Section 17.59.090 of this chapter to advertise the sale or lease of the property or premises as provided in this chapter, or to designate the name of the owner or tenant of the premises.
- H. Home Occupation Signs.** Any sign indicating a home occupation.
- I. Illuminated signs where:**
1. Nonresidential uses are facing directly onto a contiguous residential property;
 2. Externally illuminated source of light is directly visible to pedestrians or vehicular traffic;
 3. Internally illuminated signs that have a directly exposed neon tube, except as allowed pursuant to Section 17.59.100 of this chapter; and
 4. Any sign illumination which, in the opinion of the community development director, exhibits undue glare.
- J. temp Billboards.** Any sign carried, conveyed, or hauled by a vehicle for the purpose of general advertising for hire. The purpose of this prohibition is to eliminate mobile billboard advertising within the city in order to reduce traffic congestion, promote the safe movement of vehicular traffic, to reduce air pollution, and improve the aesthetic appearance of the city. This prohibition does not apply to displays on vehicles related to the goods or services provided by the vehicle owner or operator and public transit/public carrier graphics on properly licensed buses, taxicabs, and similar vehicles for hire that legally pass through the city.
- K. Roof Signs.** Signs erected on roofs or above the first story of multistory buildings, except signs allowed on office buildings six or more stories in height pursuant to Section 17.59.100 of this chapter and, with planning commission approval of a sign use permit, on hotels pursuant to Section 17.59.040.
- L. Searchlights, Spotlights, and Klieg Lights.** Searchlights, Spotlights, and Klieg lights when used as attention-attracting devices for commercial uses.
- M. Sign Affixed to Trees.** Any sign nailed, tacked, or otherwise affixed to trees or other vegetation.
- N. Signs for Prohibited Uses.** A sign displaying a commercial message promoting a business that is a prohibited use and has not been established as a legal nonconforming use.
- O. Any signs that:**

1. Emit or reflect light by means of direct fluorescence, phosphorescence or “day-glow” colors;
2. Reflect light by means of a glossy, polished, or mirrored surface;
3. Are animated or include components that flash or blink;
4. Accompanied with loudspeakers used to call attention to a product, service, or property;
5. Obstruct the visual lines of sight at corners or intersections for drivers of motor vehicles, including any signs placed within the twenty-five (25) foot sight triangle.



6. May obstruct the free use of any exit, entrance, window vent, emergency access, fire lane, or standpipe;
7. May interfere with, obstruct, confuse or mislead traffic;
8. Utilizing visible guy wires, angle irons or iron frame structures;
9. Consisting of several sheets of paper connected together by perforations, tape, staples or any other means; or
10. Placed on, affixed to, or erected on or over public property, rights-of-way, or waterways, except signs which are exempt pursuant to Section 17.59.060 of this chapter.

- P. Off premise signs which identify or advertise a product or service not available on the premises, except off-site real estate signs and construction signs allowed pursuant to Sections 17.59.080 of this chapter, and off-site freestanding signs for commercial properties without street frontages, pursuant to Section 17.59.100.
- Q. With the exception of signs as provided in subsections A, B and C of Section 17.59.060, the placement of signs in any portion of a city park or the city's levee pedway/bikeway is prohibited; signs placed in violation of this subsection are subject to immediate removal by a representative of the city authorized to do so by the city manager. If information is provided to the city or included on the sign indicating whom to contact regarding the sign, the city shall provide notice to the contact following removal of the sign.
- R. Any other signs not specifically allowed by provisions of this chapter; however, nothing in this chapter shall be construed to prohibit any sign, notice or advertisement required by law.

17.59.080 Temporary Signs.

Temporary signs shall be allowed for a specific duration as stipulated in the provisions of this section or as set by the approving authority in approving the sign permit. Unless specifically exempted from sign permit by Section 17.59.060 of this chapter, all temporary signs not otherwise exempt shall require approval by the community development director and a permit.

- A. Temporary window signs which are exempt pursuant to Section 17.59.060 of this chapter.
- B. Real estate signs as indicated in Table 1-A and as exempt pursuant to Section 17.59.060 of this chapter.
- C. Construction signs and construction trailer signs as indicated in Table 1-A.
- D. Temporary noncommercial signs which are exempt pursuant to Section 17.59.060N of this chapter.
- E. **“A” Frame and Other Portable Sidewalk Signs for Commercial Use.** Each business may display one (1) “A” frame or other portable sidewalk sign in compliance with the following standards.
 1. **Location.** A portable sidewalk sign shall be placed only within the boundaries of the applicable business' frontage where specifically allowed by the sign permit or encroachment permit, and shall be positioned so that it will not:
 - (a) Obstruct the sidewalk clearance required in compliance with the Americans with Disabilities Act (ADA);
 - (b) Impede any line of sight for motorists at vehicular public right-of-way intersections, as recommended by the public works director; or
 - (c) Interfere with people exiting and entering parked cars.

2. **Number.** No more than one (1) sign shall be permitted per activity or business.
3. **Size.** Sign width shall not exceed two (2) feet and six (6) inches. Sign height shall not exceed four (4) feet. Sign height shall be measured perpendicular from the sidewalk surface to the highest point of the sign.
4. **Other Requirements.**
 - (a) The sign shall be removed from the sidewalk at the close of business each day.
 - (b) The sign shall be stabilized to withstand wind gusts or shall be removed during windy conditions.
 - (c) In addition to the sign permit required by this chapter, an encroachment permit shall be obtained from the public works department before any sign is placed in the public right-of-way.

F. Grand Opening Signs. The sign shall be temporary, designed either as a wall sign or a window sign. The sign can be in the form of a banner.

1. **Location.**
 - (a) The sign shall be located below the roof eaves, and at no time shall any portion of the sign be higher than twenty (20) feet above ground level.
 - (b) The sign shall not exceed the length of the store/business frontage, nor shall it block ingress/egress to any of the business entrances.
 - (c) Grand opening signs shall be placed on the primary business frontage of the commercial or industrial business which is the subject of the sign.
2. **Number.** No more than one (1) sign shall be permitted per activity or business.
3. **Size.** One (1) banner, not illuminated and not to exceed fifty (50) square feet in area for retail commercial uses or twenty-five (25) square feet in area for office or industrial uses, shall be allowed to identify a business, its services or products, and the opening date.
4. **Time of Display.** Such banner shall not be displayed longer than sixty (60) days total which shall be before, during and after the opening, or for a period to be approved by the community development director.
5. **Other Requirements.** The community development director may require special design criteria for grand opening signs that he/she/they determines require special treatment beyond what is contained in subsections (E)(1) through (5) of this section.
 - (a) Signs shall be kept clean and in good repair at all times that they are in use.

- G. Promotional Sales Signs.** A promotional sales sign which is not otherwise exempt as a window sign pursuant to Section 17.59.060 of this chapter, may be approved for a temporary period of time, as specified under commercial and industrial uses. The sign shall be temporary, designed either as a wall sign or a window sign. The sign can be in the form of a banner.

The use of such signs is subject to the following limitations:

1. **Location.**
 - (a) Promotional sales signs shall be placed on the primary business frontage of the commercial or industrial business which is the subject of the sign.
 - (b) The sign shall not exceed the length of the store/business frontage, nor shall it block ingress/egress to any of the business entrances.
2. **Number.** No more than one (1) sign shall be permitted per activity or business.
3. **Size.** The sign shall not exceed fifty (50) square feet, shall be located below the roof eaves, and at no time shall any portion of the sign be higher than twenty (20) feet above ground level.
4. **Time of Display.** Promotional sales signs shall be limited to sixty (60) days maximum per calendar year.
5. **Other Requirements.**
 - (a) The community development director may require special design criteria for promotional signs that he/she/they determines require special treatment beyond what is contained in subsections (G)(1) through (5) of this section.
 - (b) Signs shall be kept clean and in good repair at all times that they are in use.

- H. Special Events and Sales.** Sidewalk or parking lot sales, carnivals, exhibits and parades.

1. Merchants, charitable or community interest organizations may be allowed such signing in any zoning district as deemed appropriate to announce, locate, identify or advertise the event and the products or services offered or exhibited.
2. The necessity for submittal of plans and specifications for any or all of the signs associated with the event shall be as determined by the community development director.

- I. Recurring Events.** Nothing in this chapter shall prohibit the community development director from approving sign permit applications for the use of any sign to announce, locate, identify or advertise a paper drive, school activity or event, blood drive, holiday event or similar recurring events.

- J. Urgently Needed Signs.** Any signs deemed by the community development director to be urgently needed may be allowed temporarily by the community development director with the submittal of an application for sign permit for the sign, until such time as the approving authority approves or denies the sign permit application or the community development director determines that the sign is no longer urgently needed.
- K. Real Estate and Construction Signs.** Nothing in this section shall prohibit the community development director from approving a prototypical real estate sign to be used by a real estate company in several locations. The prototypical sign approval shall include height, text, square footage, colors, materials, and criteria for location such as setbacks from streets and corners. Notwithstanding approval of a prototypical real estate sign, the specific location of each such sign shall be approved by the community development director prior to installation.

TABLE 1-A**REAL ESTATE AND CONSTRUCTION SIGNS**

CLASS & PURPOSE	LAND USE & SIZE	SIGN AREA (MAX)	REMARKS
Construction Sign: Identify construction or project underway	Residential any size	Four (4) square feet	1. Removal required within sixty (60) days of completion of construction, subject to a permit issued prior to placement of sign.
	Nonresidential up to one (1) acre	Sixteen (16) square feet	1. Removal required within sixty (60) days of completion of construction. 2. Fifteen (15) feet minimum setback.
	Nonresidential more than one (1) acre	Thirty-two (32) square feet	1. Removal required upon completion of construction. 2. Fifteen (15) feet minimum setback.
Real Estate Sign: Identify vacant land for sale, lease, or development	Commercial and Industrial up to one (1) acre	Sixteen (16) square feet	1. Removal required within sixty (60) days of successful sale, lease, or development of property or erection of signs allowed for soliciting tenants. 2. Fifteen (15) feet minimum setback.
	Commercial and Industrial one (1) to five (5) acres	Thirty-two (32) square feet	3. For Commercial and Industrial sites of more than five (5) acres, one (1) additional freestanding sign for each additional five hundred (500) feet of frontage shall be allowed.
	Commercial and Industrial more five (5) acres	Thirty-two (32) square feet	
Real Estate Sign: Soliciting tenants in a future project for	Commercial and Industrial up to one (1) acre	Sixteen (16) square feet	1. Removal required within sixty (60) days of successful sale, lease, or development of property or erection of signs allowed for soliciting tenants.

which plans have been approved; or, entire existing developed property for sale or lease	Commercial and Industrial more than one (1) acre	Thirty-two (32) square feet	2. Five (5) feet minimum setback.
Real Estate Sign: Soliciting tenants in an existing developed property	Commercial and Industrial	Sixteen (16) square feet	1. Removal required within sixty (60) days of successful sale, lease, or development of property or erection of signs allowed for soliciting tenants. 2. Five (5) feet minimum setback.
Real Estate Sign: Offering an entire existing developed property for sale	Other than commercial and industrial up to one (1) acre	Sixteen (16) square feet	1. Removal required upon sale of property.
	Other than commercial and industrial more than one (1) acre	Thirty-two (32) square feet	
Real Estate Sign: Announce, locate, identify, or advertise a development of new residences	Other than commercial and industrial any size	Four (4) square feet	
Real Estate Sign: Permanent	All uses		1. A permanent real estate sign requires a sign permit or shall be included in a sign program for the site.

* For residential construction signs, one (1) sign per street frontage per construction project.

L. Additional requirements:

1. Conditions of approval may be added by the approving authority.
2. All real estate and construction signs shall be freestanding unless otherwise stated in Table 1-A.
3. The maximum height for all freestanding real estate and construction signs shall be eight (8) feet.
4. No illumination is allowed.
5. All signs described on this table are subject to the approval of the community development director pursuant to Section 17.59.080.

17.59.090 Public Convenience Signs.

Signs which in the opinion of the community development director serve the public safety or convenience, such as entrance, exit, parking, no parking, no trespassing, office, manager, street address, bulletin boards, directional signs, instructional/direction signs at recycling centers, and civic and cultural promotion signs, may be allowed in any zoning district of the city.

Such signs may be wall signs, freestanding signs or monument signs and may be of any size, number and illumination determined by the community development director to be necessary and adequate to their intended purpose.

Such signs twenty (20) square feet or less in area and not illuminated may be approved by the community development director. Signs larger than twenty (20) square feet or illuminated shall require approval by the planning commission.

17.59.100 Sign Development Standards.

A. Residential Uses.

TABLE 2-A

RESIDENTIAL USES

CLASS	SIGN TYPE	NUMBER	SIGN AREA (MAX)	HEIGHT (MAX)	REMARKS
Subdivision of single-family homes, townhouses (less than 50 units), Condominiums (less than 50 units)	Freestanding Sign	1. One (1) freestanding sign for community identification located on the development's primary frontage. 2. For developments with frontage on more than one public street, a second freestanding sign may be allowed on the second frontage.	Twenty (20) square feet	Four (4) feet	1. Sign area is only calculated for one (1) side of a freestanding sign. 2. Signs may be internally or externally illuminated.
	Individual Residence Identification	One (1) street address sign per residence.			Exempt Sign
	Directional Signs				Refer to <u>Section 17.59.090</u>
Townhouses, Condominiums, and/or mixed-use residential development of					A Master Sign Program is required and shall be approved by the planning commission.

50 or more units					Refer to <u>Section 17.59.120</u>
Apartments, Senior Living	Freestanding Sign (Note: Freestanding or wall sign)	One (1) freestanding sign per property frontage plus one (1) additional sign for each additional 500 linear feet of property frontage.	Twenty (20) square feet	Four (4) feet	1. Sign area is only calculated for one (1) side of a freestanding sign. 2. Signs may be internally or externally illuminated. 3. Signs shall be so designed to temporarily or permanently incorporate rental availability information 4. Rental availability information shall be restricted to identification of the manager's or agent's location and/or telephone number. 5. Rental or lease terms, apartment sizes and description of amenities shall not be included.
	Wall Sign (Note: Freestanding or wall sign)	One (1) wall sign per frontage plus one (1) additional sign for each additional five hundred (500) linear feet of property frontage.	Twenty (20) square feet		
	Directional Signs				Refer to <u>Section 17.59.090</u>
	Individual Residence Identification	One (1) street address sign per residence.			Exempt Sign

B. Commercial Uses.

TABLE 3-A

COMMERCIAL USES

CLASS	SIGN TYPE	NUMBER	SIGN AREA (MAX)	HEIGHT (MAX)	REMARKS
Commercial Centers less than 5 acres	Freestanding identification Sign -	One (1) freestanding sign.	Ten (10) square feet per acre for	Sixteen (16) feet	1. Signs shall be restricted to identification

	Commercial Center		sign identification of the center.		of the name and address of the center. 2. Signs may be internally or externally illuminated.
	Freestanding identification Sign – Tenant identification	One (1) freestanding identification sign.	Ten (10) square feet per acre for sign identification of the tenants.	Sixteen (16) feet	1. Signs shall be restricted to the identification of the name and address of the tenant. 2. Signs may be internally or externally illuminated.
	Wall Sign – Tenant identification	One (1) wall sign on the primary business frontage; and,	Sign area shall be one-half square foot per linear foot of business frontage or Twenty (20) square feet, whichever is greater. No sign shall exceed fifty (50) square feet or fifteen percent (15 %) of the building's face, whichever is greater.		Signs may be internally or externally illuminated.
		One (1) additional sign on the secondary business frontage.	Secondary business frontage identification sign shall not exceed fifty percent (50%) of that allowed for the primary business frontage sign.		
	Awning and canopy Signs – Tenant identification	One (1) for each establishment having entrance under or offering service under	Five (5) square feet	14 feet with min. clearance of 8 feet	1. Awning shall not be illuminated. 2. Canopy signs may be internally or externally illuminated.

	the awning or canopy.			
Projecting Signs – Tenant identification	One (1) for each building frontage or tenant space.	Five (5) square feet	14 feet with min. clearance of 8 feet	<ol style="list-style-type: none"> 1. A projecting sign cannot extend more than four (4) feet from the building to which it is attached and must be designed and located so as to cause no harm to street trees. 2. Signs projecting into the public right-of-way are subject to an encroachment permit. 3. A Projecting sign cannot extend further than the outer edge of the marquee, covered walkway, canopy, or awning from which it is attached. 4. Projecting signs shall not be illuminated.
Window Signs – Tenant identification	Window sign exempt pursuant to <u>Section 17.59.060</u> and one (1) illuminated window sign.	Sign area for window signs shall be the aggregate square footage of all window signs, temporary and permanent, illuminated and non-illuminated, displayed in or behind a window, and shall not exceed forty percent (40%) of the surface area of the window.		<ol style="list-style-type: none"> 1. Illuminated window signs shall not include signs with directly exposed neon tubing. 2. The message on approved illuminated changeable copy window signage may be changed as frequently as the owner desires. 3. The total amount of all illuminated window signage allowed shall be limited to ten percent (10%) of the aggregate total glass surface area of the storefront elevation on which it is placed but shall not exceed three (3) square feet and shall be

					limited to one (1) approved sign per store. 4. Neon signs more than ten (10) feet from a window which are visible from outside the window shall be subject to a sign permit approved by the planning commission.
	Directional Signs				Refer to <u>Section 17.59.090</u>
Commercial Centers 5 acre and larger –					A Master Sign Program is required and shall be approved by the planning commission. Refer to <u>Section 17.59.120.</u>
Single commercial businesses not located in a commercial center*	Freestanding Sign (in lieu of wall sign)		Sign area shall not exceed twenty-four (24) square feet in area.	Six (6) feet	*freestanding or wall sign
	Wall Sign	One (1) wall sign on the primary business frontage; and,	1. Sign area shall be one-half square foot per linear foot of business frontage or Twenty (20) square feet, whichever is greater. 2. No sign shall exceed fifty (50) square feet or fifteen percent (15%) of the building's face, whichever is greater.		Sign may be internally or externally illuminated.
		One (1) additional sign on the secondary business frontage.	Secondary business frontage identification sign shall not exceed fifty percent (50%) of that allowed for the primary		Sign may be internally or externally illuminated.

		business frontage sign.		
Awning and canopy Signs	One (1) for each establishment having entrance under or offering service under the awning or canopy.	Five (5) square feet	Fourteen (14) feet with min. clearance of eight (8) feet	<ol style="list-style-type: none"> 1. Awning shall not be illuminated. 2. Canopy signs may be internally or externally illuminated.
Projecting Signs	One (1) for each building frontage or tenant space.	Five (5) square feet	Fourteen (14) feet with min. clearance of eight (8) feet	<ol style="list-style-type: none"> 1. A projecting sign cannot extend more than four (4) feet from the building to which it is attached and must be designed and located so as to cause no harm to street trees. 2. Signs projecting into the public right-of-way are subject to an encroachment permit. 3. A Projecting sign cannot extend further than the outer edge of the marquee, covered walkway, canopy, or awning from which it is attached. 4. Projecting signs shall not be illuminated.
Directional Signs				Refer to <u>Section 17.59.090</u>

C. Office Uses.

TABLE 4-A
OFFICE USES

CLASS	SIGN TYPE	NUMBER	SIGN AREA (MAX)	HEIGHT (MAX)	REMARKS
Office Centers less than 5 acres	Freestanding identification Sign - Office Center	One (1) freestanding sign.	Ten (10) square feet per acre	Four (4) feet	1. Signs shall be restricted to identification of the name and address of the center. 2. Signs may be internally or externally illuminated.
	Wall Sign - Building or Major Tenant Identification	One (1) wall sign on the primary business frontage, and	One-half square foot per linear foot of business frontage or Twenty-five (25) square feet, whichever is less.	Eight (8) feet	Sign may be internally or externally illuminated.
		One (1) additional sign on the secondary business frontage.	Secondary business frontage identification sign shall not exceed fifty percent (50%) of that allowed for the primary business frontage sign.		Sign may be internally or externally illuminated.

Office Center - Remaining Tenant Identification	Freestanding identification Sign or wall sign or Awning and canopy Sign Projecting Sign	One (1) wall sign shall be allowed to be located on the primary business frontage of each building, to identify the remaining tenants.			<p>1. The remaining tenants shall be identified in aggregate; their identities being incorporated onto a common freestanding or wall sign except that tenants in an office center may be allowed individual identification signs where deemed appropriate.</p> <p>2. When individual tenant identification signs are allowed, the sign area of each such sign shall not exceed one-eighth (1/8) square foot of sign area for each one (1) linear foot of business frontage or ten (10) square feet, whichever is less.</p> <p>3. A sign aggregating the identifications of the various tenants may be designed to use identically designed, replaceable nameplates for the various tenants, so that the nameplates may be easily removed or rearranged. The removal, rearrangement, or replacement of the nameplates shall not require review or approval.</p> <p>4. Identification signs of remaining tenants may be externally illuminated.</p>
Office buildings four stories or more in height					<p>On office buildings four (4) stories or more in height, additional wall identification signs may be allowed, pursuant to a sign use permit, subject to the following:</p> <p>1. Wall identification signs shall be located on the affected wall surface as defined in <u>Section 17.59.030</u>.</p> <p>2. Wall identification signs shall be limited to federally registered corporate logos.</p> <p>3. For office buildings four (4) or five (5) stories in height, one (1) additional nonilluminated wall identification sign may be allowed.</p>

					<p>4. For office buildings of six (6) stories or more, two (2) additional wall identification signs may be allowed. Only one (1) wall identification sign in addition to any identification sign(s) approved pursuant to subsections of this section shall be allowed per building elevation. If two (2) wall identification signs are permitted, they shall be located on opposite corners of their respective elevations or at least fifty (50) feet apart on their respective elevations and the two (2) permitted wall identification signs may display the same or two (2) different federally registered corporate logos.</p> <p>5. Wall identification signage must be proportionate to the wall size, shall not be placed or located within seventy-five (75) feet of a residential zoning district measured both horizontally and vertically and may have halo lighting only.</p> <p>6. Wall identification signs shall be in balance in both dimension and placement within the affected wall surface area and shall not exceed twelve percent (12%) of the total square footage of the affected wall surface area.</p>
Office buildings not a part of an office center	Freestanding Sign in lieu of wall sign	One (1) freestanding sign.		Six (6) feet	Freestanding sign may be externally illuminated.
	Directional Signs				Refer to <u>Section 17.59.090</u>
Office Center larger than 5 acres					A Master Sign Program is required and shall be approved by the planning commission. Refer to <u>Section 17.59.120</u> .

D. Industrial Uses.

**TABLE 5-A
INDUSTRIAL USES**

CLASS	SIGN TYPE	NUMBER	SIGN AREA (MAX)	HEIGHT (MAX)	REMARKS
Industrial Center less than 5 acres	Freestanding identification Sign – Industrial Center Identification	One (1) freestanding identification sign.	Ten (10) square feet of sign area per acre, but no such sign shall exceed fifty (50) square feet in area	Four (4) feet	Unless otherwise approved by a sign request use permit, such signs shall be restricted to identification of the name and address of the center and may be externally illuminated.
	Wall Sign – used to identify Building or Major Tenant	One (1) wall sign on the primary business frontage of each building; and,	One-quarter square foot of sign area for each one (1) linear foot of business frontage or twenty-five (25) square feet, whichever is less.		Signs may be internally or externally illuminated.
		One (1) additional sign on the secondary business frontage.	Secondary business frontage identification sign shall not exceed fifty percent (50%) of that allowed for the primary business frontage sign.		
Industrial Building – Remaining Tenant Identification	Freestanding Identification or Wall sign	One (1) freestanding Identification or Wall sign.	One-eighth square foot of sign area for each one (1) linear foot of business frontage or ten (10) square feet, whichever is less.		
Industrial Buildings not part of an	Freestanding Identification or Wall sign	One (1) freestanding	One-eighth square foot of sign area for each one (1) linear	Four (4) feet for freestanding	Identification signs may be internally or externally illuminated if

Industrial Center		Identification or Wall sign.	foot of business frontage or ten (10) square feet, whichever is less.	identification sign	a wall sign, or externally illuminated if a freestanding sign.
	Directional Signs				Refer to <u>Section 17.59.090</u> .
Industrial Center larger than 5 acres					A Master Sign Program is required and shall be approved by the planning commission. Refer to <u>Section 17.59.120</u> .

E. Quasi-Public Uses.

TABLE 6-A

QUASI-PUBLIC USES

CLASS	SIGN TYPE	NUMBER	SIGN AREA (MAX)	HEIGHT (MAX)	REMARKS
Religious institutions, private schools, hospitals, and other uses of a quasi-public nature					A Sign Master Program is required and shall be approved by the planning commission. Refer to <u>Section 17.59.120</u> .

- F. Monument Sign.** A monument sign as defined in Section 17.59.030, shall require a landscape planter around the base of the sign, containing shrubs and/or groundcover and flowering annual and/or perennial flowers. The design of the landscaping shall be such that natural growth will not obscure the sign from the public right-of-way.
- G.** Sign illumination shall be as defined in Section 17.59.030 Definitions, and shall comply with the provisions of Section 17.59.060.
- H.** No sign shall be illuminated except where expressly allowed in the provisions of this chapter.

17.59.110 Signs for Specific Use.

A. Gasoline Service Station Signs.

TABLE 7-A
GASOLINE SERVICE STATIONS

CLASS	SIGN TYPE	NUMBER	SIGN AREA (MAX)	HEIGHT (MAX)	REMARKS	
Gas Service Station	Freestanding Identification Sign	One (1) freestanding sign	Twenty-five (25) square feet	Eight (8) feet	Sign may be internally or externally illuminated.	
	Wall Signs	One (1) wall sign per property frontage	Ten (10) square feet per sign		Sign may be internally or externally illuminated.	
	Price Signs	One (1) freestanding price sign per property frontage	Twenty (20) square feet	Eight (8) feet	1. Signs shall be allowed to indicate the prices and types of gasoline for sale. This information shall not be repeated on the same frontage. 2. Such signs may be designed to use replaceable, interchangeable numerals and the replacement or rearrangement of the numerals shall not require review or approval. 3. Signs may be internally or externally illuminated.	
	Window Signs					Window signs exempt pursuant to <u>Section 17.59.060</u>
		One (1) illuminated window sign per store	Ten percent (10%) of the aggregate total glass surface area of the store or three-square feet, whichever is less			1. Illuminated window signs shall not include signs with directly exposed neon tubing. 2. The message on approved illuminated changeable copy window signage may be changed as frequently as the owner desires.

17.59.120 Master Sign Program.

- A. Purpose.** The purpose of a Master Sign Program is to encourage creativity and provide incentives to comprehensively integrate signage into a development, as well as with the design of the structures, to achieve a unified architectural statement. Any alternative

regulation and design standard approved through a Master Sign Program, may supersede the provisions of this chapter.

B. Applicability. A Master Sign Program is available for all properties and uses. For the following uses, a Master Sign Program is required:

1. Townhomes, Condominiums, and/or mixed-use residential developments of fifty (50) or more units.
2. Retail/Shopping Centers with five (5) or more tenants.
3. Commercial Centers of five (5) or more acres in size.
4. Commercial or Industrial Uses with lot size five (5) or more acres.
5. Religious institutions, private schools, hospitals, and other uses of a quasi-public nature.

C. Review Authority. All Master Sign Programs are subject to review and approval of the Review Authority for the project with which the signs are associated. Master Sign Program applications may be submitted separately or as part of the permit application for the project.

1. The Planning Commission shall be the Review Authority for any new Master Sign Program application, application requesting additional sign area, additional height, or an increase in the number of signs otherwise allowed by this chapter.
2. The community development director shall be the Review Authority for any minor modifications to the existing Master Sign program and may, at his or her discretion, refer to the Planning Commission for a decision rather than acting on it himself, herself, or theirselves.

D. Application Requirements. An application for Master Sign Permit shall be accompanied by required fee and working drawings adequate to show:

1. Site plan showing:
 - (a) Location of building(s) and proposed signs (including tenant space location).
2. Detailed elevation of sign(s) both new and existing, showing:
 - (a) Dimensions of sign;
 - (b) Sign Area;
 - (c) Color;
 - (d) Size and letter style of sign copy;
 - (e) Size and style of proposed logo;

- (f) Sign materials; and,
 - (g) Method of illumination.
3. Schematic building elevation showing:
 - (a) Dimensions of building frontage; and,
 - (b) Exact location of existing and proposed signage (photographs or other depictions may be submitted for sign copy changes).
 4. Installation detail showing cross section through the sign and specifications of hardware and materials.
 5. A statement explaining how revisions/modifications/replacement of tenant signs will be carried out to limit the possibility of holes being left in the structure's exterior by mounting brackets, electrical connections, or similar items.
 6. A statement of how the use of temporary signs, including banners, flags, pennants, and similar advertising devices will be monitored by the property owner/lessor to ensure compliance with the requirements of this chapter. Failure of the property owner/lessor to adequately monitor and control the use of temporary signs shall be grounds for revocation of the Sign permit.
- E. Lessees shall be Informed of a Master Sign Program.** Lessees within developments subject to the requirements of an approved Master Sign Program shall be made aware of the program in their lease and their responsibility to follow the approved Master Sign Program.
- F. Findings.** In approving an application for a Master Sign Program, the Planning Commission shall make the following findings:
1. The Master Sign Program is consistent with the Foster City general plan and Title [17](#), Zoning, and Chapter [17.06](#), Administration, Construction and Enforcement, of the Foster City Municipal Code.
 2. The Master Sign Program complies with the standards of this Chapter 17.59, except that flexibility is allowed with regard to sign area, number of signs, location, and/or height.
 3. Future tenants will be provided with adequate opportunities to construct, erect, or maintain a sign for identification; and
 4. Directional signage and building addressing is adequate for pedestrian and vehicular circulation and emergency vehicle access.

17.59.130 Construction and Maintenance.

- A.** Construction-installation. All permanent and temporary signs shall be constructed and installed in a manner consistent with industry standards.
- B.** Maintenance. Every sign, including but not limited to those signs for which permits are required, shall be maintained in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, cleaning and other acts required to maintain the sign, advertising structure, canopy or awning in its originally permitted and installed condition in accordance with the following criteria and with the other applicable provisions of city regulations:
1. Paint. To prevent rust, peeling, flaking, fading, or rotting, the permittee of any sign or advertising structure shall, as required, paint all parts and supports thereof unless the same are galvanized or otherwise treated.
 2. Repairs. Broken panels, missing letters, defective illumination, torn fabric, flaking or peeling paint and other damage to a sign, advertising structure, awning, canopy, or support structure shall be repaired.
 3. Clean and Sanitary. All signs or advertising structures and the area surrounding same shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of all debris, rubbish and obnoxious substances, and any related planted area or landscaping shall be kept trimmed and in a healthy condition.
 4. Vacancies. Any sign which advertises a business, commodity, service, entertainment, activity, or event which has been discontinued, or is located on property which has been vacant and unoccupied shall be removed; provided, however, that a blank face (containing no sign graphics) may be substituted.

17.59.140 Enforcement.

- A. Nonconforming Signs.** Every sign in existence on the effective date of this chapter, and for which a sign permit was granted pursuant to prior enactments, or which did not require a sign permit at the time it was erected, and which does not conform to the provisions of this chapter, is a legal nonconforming sign. A legal nonconforming sign must be removed or brought into conformance with the provisions of this chapter if such sign meets any of the following criteria:
1. The sign's use has ceased, or the structure upon which the sign has been erected or which the sign identifies has been abandoned by its owner, for a period of ninety (90) days or more.
 2. The sign has been more than fifty percent (50%) destroyed, and the destruction is other than facial sign copy replacement, and the sign cannot be repaired within thirty (30) days of the date of its destruction.
 3. The sign is remodeled or otherwise altered, and such remodeling or alteration is other than solely a change in sign copy.

4. The sign is affected by expansion, enlargement, or remodeling of the building or land use upon which the sign is located.
5. The sign is relocated.
6. The sign is temporary.
7. The sign is or may become a danger to the public or is unsafe as determined by the community development director.
8. The sign constitutes a traffic hazard not created by relocation of streets or highways or by acts of the city, state or federal government.

B. Illegal Signs.

1. The following signs shall be considered illegal:
 - (a) Signs in existence on the effective date of this chapter and which are considered nonconforming, and whose abatement period pursuant to such ordinance has expired.
 - (b) Signs which were not in conformance with the sign regulations in effect at the time they were erected.
 - (c) Signs which are unsafe or insecure, or are a menace to the public, or are being maintained in violation of the provisions of this chapter.
2. Illegal signs shall be removed or altered to conform to the provisions of this chapter by the owner, agent or person having beneficial use of the same or of the building, structure, or land upon which such sign may be found, as directed by the community development director or his/her/their designated representative. Illegal signs may be removed by the property owner, or in the case of illegal signs on public property, may be removed by the community development director or his/her/their designated representative.

C. Violations. Any person who violates any provision, or fails to comply with any of the requirements of this chapter, is guilty of an infraction, punishable by:

1. A fine not exceeding one hundred dollars (\$100) for a first violation;
2. A fine not exceeding two hundred dollars (\$200) for a second violation of the same provision within one (1) year; and,
3. A fine not exceeding five hundred dollars (\$500) for a third or subsequent violation of the same provision within one (1) year.

4. For purposes of this section each day in which an illegal condition continues is a single violation and each subsequent day such illegal condition continues is a new and separate offense.

D. Violations Constitute Public Nuisance. In addition to the penalties otherwise provided in this chapter, any violation of this chapter is a public nuisance. The city attorney, upon order of the city council, shall commence the necessary action or proceedings for the abatement, removal, and enjoinder thereof in the manner prescribed by law in the courts which may have jurisdiction to grant such relief as will accomplish such abatement and restraint. The remedies provided for in this section shall be in addition to any other remedy or remedies or penalties provided in this title or other law or ordinance.

E. Duties. It shall be the duty of the community development director or his/her/their designated representative to enforce this chapter. A sign erected upon public property in violation of the provisions of this chapter may be removed by the community development director or his/her/their designated representative. It is unlawful for any person not authorized by the community development director to remove signs from public property. The cost of the removal or alteration of any sign and any expense incident thereto, which by the terms of this section shall be paid by a permittee, sign owner, property owner or any other persons, shall become a debt owing the city for the collection of which the city may maintain civil action in its name. The community development director or his/her/their designated representative may summarily and without notice cause the removal of any sign which is an immediate peril to person or property.