



**DATE:** February 13, 2012

**TO:** Chairperson and Members of the Planning Commission

**FROM:** Development Services Department/Planning Division

**SUBJECT:** **ZONE AMENDMENT (ZA11-00004) AND LOCAL COASTAL PLAN AMENDMENT (LCPA11-00002) AMENDING ARTICLE 33 OF THE 1992 ZONING ORDINANCE, REPEALING ARTICLE 33 OF THE 1986 ZONING ORDINANCE AND ESTABLISHING THE AMENDED TEXT AS PART OF THE IMPLEMENTING DOCUMENT OF THE LOCAL COASTAL PROGRAM - APPLICANT: CITY OF OCEANSIDE**

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend to the City Council approval of the amendment to Article 33 of the 1992 Zoning Ordinance, repeal of Article 33 of the 1986 zoning ordinance and inclusion of the amended text as part of the Local Coastal Program by:

- (1) Adopting Planning Commission Resolutions No 2012-P06 recommending approval of Zoning Amendment (ZA11-00004) and Local Coastal Plan Amendment (LCPA11-00002) to the City Council with findings of approval attached herein.

**BACKGROUND**

Local Sign Regulations: On-site signage for properties within the Coastal Zone area (except for the downtown "D" district) are subject to compliance with the 1986 sign ordinance regulations, while all other areas of the City (including the downtown "D" district) are subject to the 1992 sign ordinance. Neither sign ordinance has been comprehensively updated since adoption, and revisions to both are necessary to bring them up to date with recent court rulings that have defined legal parameters for the regulation of signage. In addition, formatting and minor revisions to current definitions, and regulations could add clarity to the existing documents. New parameters for emerging and advanced sign concepts such as digital display signs could allow modern sign technologies to be considered as part of future signage proposals on private and City owned properties.

## **PROJECT DESCRIPTION**

### **Intent:**

Existing sign ordinance provisions are proposed to be modified in order to: 1) ensure regulation of signs in a constitutional manner, in accordance with case law that has developed since the approval of the currently applicable sign ordinances; 2) distinguish regulatory (private property sign requirements) from proprietary (city property sign requirements) sign standards and update or clarify existing definitions, regulations, etc.; and 3) establish parameters for emerging sign technologies – including digital display signs on private and City owned properties. The legislative draft of the proposed sign ordinance amendment (Attachment 2) identifies in detail the extent of the proposed modifications.

### **Required Entitlements:**

A zoning text amendment to repeal Article 33 of the 1986 zoning ordinance and amend Article 33 of the 1992 sign ordinance (ZA11-00004) and a Local Coastal Program (LCPA11-00002) amendment is necessary to establish a common regulatory framework for future signage within coastal areas, governed by the 1986 zoning ordinance and other areas of the City, governed by the 1992 zoning ordinance.

## **ANALYSIS**

The city-initiated process of developing revisions to the sign ordinance is a multi-departmental effort led by the Development Services Department and the City Attorney's Office. Randal R. Morrison of Sabine and Morrison was retained to provide expert legal advice and ensure enforceability of proposed regulations. Sign regulations from multiple jurisdictions were reviewed by staff to establish a basis for comparison and technical reports were evaluated extensively to identify issues, challenges and solutions.

A Planning Commission workshop was held on January 23, 2012, to solicit preliminary input by the community and Planning Commissioners. Issues related to sign content neutrality; potential negative signage impacts (roadway safety, visual, quality of life) and digital display sign design advantages were discussed. After hearing presentations from the City's consultant, planning staff and testimony by the public the Planning Commission directed as follows:

- 1) Incorporate sign ordinance revisions necessary to address constitutionality issues and establish a legally defensible ordinance;
- 2) Incorporate provisions for digital display billboards on City property as part of a trade/exchange of existing billboards with digital display boards at a greater than one to one ratio;
- 3) Incorporate provisions for digital signage on private property, subject to additional regulations;

- 4) Consider inclusion of a sign reduction program;
- 5) Consider placement of digital signage at select locations within the public-right-of-way to promote community events and commerce;
- 6) Incorporate provisions prohibiting feather signs;
- 7) Provide a matrix summarizing digital sign provisions utilized by other jurisdictions.

### **Planning Commission Directive #1: Sign Ordinance Constitutionality**

The display of a visual image which is intended to be communicative - a sign - is generally considered "speech" under the First Amendment of the United States Constitution and the California Constitution. Courts have ruled that issuance of sign permits or exceptions to regulations should not be based on subjective criteria, which provide "unfettered discretion" to decisionmakers and could potentially lead to allegations of favoritism toward certain speakers or discrimination on the basis of content. Sign ordinances may not favor commercial over non-commercial speech. Content-neutral ordinances, with objective standards in terms of time, place and manner of sign construction and display are recommended.

Staff recommendation: A significant number of the proposed modifications to the 1992 sign ordinance center on achieving content neutrality. Additional provisions allowing for message substitution, equitable sign area for institutional uses with those permitted for commercial and industrial uses and establishing explicit "compatibility factors" for sign review are also proposed to ensure a constitutionally defensible and enforceable sign ordinance.

### **Planning Commission Directive #2: Regulation of Billboards on City owned property**

A total of 5 legal non-conforming static billboards (off-premises advertising structures) exist within the City of Oceanside as a result of a settlement agreement which was reached in 1998 between the City and various parties. One of the billboards is located along N. Coast Highway (south of Harbor Drive) and four are located along Highway 78. Billboards are subject to Federal and State regulations. State law preempts local jurisdictions from amortizing billboards or requiring their removal without just compensation.

Federal and State regulatory provisions: The Federal Highway Beautification Act of 1965 encourages scenic enhancement and control of outdoor advertising along interstate highways. The Act is enforced by state departments of transportation through agreements with the Federal Highway Administration (FHWA). California's agreements with FHWA convey regulatory control of all off-premise outdoor advertising signs, displays and devices within 660 feet of interstate rights-of-way, on commercial and industrial properties to the State (Caltrans).

The Outdoor Advertising Act (Business and Professions Code, Sections 5200 et seq.) and the California Code of Regulations, Title 4, Division 6 (Sections 2240 et seq.) sets forth the regulations for outdoor advertising and requires among other provisions the following:

- Design of advertising structures able to withstand a wind pressure of 20 pounds per square foot of exposed surface;
- No display on any advertising structure or sign, of any statement or words of obscene, indecent or immoral character;
- No display of red, or blinking or intermittent light, likely to be mistaken for a warning or danger signal;
- No illumination which could impair the vision of travelers on adjacent highways. (Illuminations are considered impairing when the brilliance exceeds the values set forth in Section 21466.5 of the Vehicle Code;
- No advertising display within 300 ft. from the point of intersection of highway or of highway and railroad right of way lines, however a sign may be placed on that side of the intercepted highway that is opposite to the point of interception;
- No placement of a sign in a manner that would prevent any traveler on any highway from obtaining a clear view of approaching vehicles for a distance of 500 ft.;
- Electronic billboards may not include any illumination or message change that is in motion or appears to be in motion or that changes in intensity or exposes its message for less than four seconds;
- No electronic billboard may be placed within 1,000 feet from another electronic billboard on the same side of the highway.

Impacts of signage on visual environment: The placement and character of signage has historically been a contentious issue in many communities. Billboard signage in particular has been met with resistance since its first appearance in the late 19<sup>th</sup> century on aesthetic grounds. Arguments against billboards have had varying degrees of success in terms of restricting their proliferation. In an assessment of its billboard regulations, the City of San Jose notes that “Signs play a significant role in the visual environment of a city in that they are prominent structures that are typically deliberately, highly visible in the public realm.” It is further noted that although on-site signs are ancillary to the businesses to which they are attached and help people understand what services, goods and amenities are available in their local neighborhoods, billboards are a separate business/use of the site and serve no or minimal way-finding purpose.

The City of Los Angeles’ position toward billboards is similar to that of San Jose’s. Reports issued on the subject matter indicate that digital display billboards in particular “tend to dominate the visual environment, especially at night.” and “the city’s visual environment suffers when digital displays are permitted without appropriate consideration of land use plans, zoning and neighborhood character”.

Roadway safety: Signs positioned in proximity to roadways are intended to attract the attention of passerby traffic. This has raised questions of possible roadway safety and has triggered extensive research on the subject matter, dating as far back as the 1930s. In assessing this issue, staff found that available scientific reports and literature review of these studies provide contradictory results and vary in their conclusions; however, sufficient evidence exists in regard to potential driver distraction associated with digital billboards to warrant caution and case-by-case examination of such proposals.

Billboards on City-owned property: Staff has explored the appropriateness of allowing off-premises digital display signage on City-owned property, subject to a lease or contract agreement with private parties. Specific, viable city-owned properties for such use have not been identified at this time; however, should the City Council decide to proceed with this amendment, a request for proposals would be issued requesting evaluation of available sites by project applicants. California Environmental Quality Act (CEQA) review, to analyze potential land use impacts, would be conducted on a project by project basis, once location and specific signage design details become available.

At the Planning Commission workshop on January 23, 2012, Commissioners and members of the public expressed significant concerns over the potential addition of new billboards within the City. Negative impacts of digital display billboard signage on the visual environment and potential roadway safety issues were raised and extensively discussed. The Commission determined that any proposal for installation of digital display billboards on City owned property should only be accepted as a trade/exchange of existing static billboards. The Commission's position, against an increase of the total number of existing billboards was further underscored by their recommendation to replace static billboards at a rate of greater than one to one.

Staff recommendation: Based on the above facts - including the extent of Federal and State regulatory provisions applicable to billboards, and technical expertise required to ensure appropriate levels of illumination and traffic safety for digital display advertising - it is recommended that additional parameters based on location, design and operation of signs be developed and applied on a case-by-case basis to ensure high quality design solutions, roadway safety and land use compatibility of future sign with adjacent uses. It is also recommended that interactive media (including Bluetooth, Wi-Fi and SMS/MMS) message delivery not be allowed until such time that studies on the safety of employing such technology are available. Finally it is recommended that since placement of billboards on city controlled property provides the City an opportunity to restrict sign message content, that the Planning Commission recommend to the City Council careful consideration of this issue at the time of lease/contract negotiation.

### **Planning Commission Directive #3: Regulation of On-site Digital Display Signs**

On-site signage is an essential component of the urban landscape and when properly designed can serve wayfinding functions and add to the appeal and character of commercial areas or neighborhoods. Conversely, signs can also have the opposite effect if allowed to proliferate without adequate control.

In recent years advances in sign display technology and decreases in cost have created a supportive business environment for digital signage nationwide which in turn has prompted many local governments to assess their impacts and has brought the controversial digital signage issue at the forefront of discussion in many communities. At digital signage debates, commercial interests generally emphasize the advantages of dynamic, easily-changeable images and modern displays, while scenic, environmental and historic preservationists protest on-site digital signs.

A survey of on-site digital sign regulations was undertaken by staff to gain insight into trends, challenges and best practices at other cities (Attachment 3). Staff found that a discretionary approval process in conjunction with development standards was established in 8 out of the 9 cities examined that allow digital display signage on private property. Staff also found that although the required discretionary approval process varied widely (district overlay, CUP, etc.) among cities, final consideration of digital signs was generally handled by appointed Committees/Commissions rather than staff and certain standardized requirements (number of signs, height, location etc.) were custom tailored by each City.

Staff Recommendation: Consistent with the findings of the survey which was conducted by staff, it is recommended that proposals for innovative or technologically advanced sign solutions (including digital display signage) on private property be subject to consideration as part of a Comprehensive Sign Package entitlement request by the Planning Commission and limited to commercial zones.

The proposed sign ordinance sets forth additional design parameters for digital signage to address land use compatibility issues as follows:

- Minimum site area: 3 acres comprised of either a single parcel or the aggregate of multiple contiguous parcels, under single or multiple ownerships.
- Site location: Within 150 ft. (max.) from I-5, SR76 or SR78.
- Sign standards: Development standards shall be as set forth in Article 33A, or as modified by the Planning Commission at the time of Comprehensive Sign Package program approval. Any deviations to applicable sign regulations must enhance the character of the development by addressing sign location, number, area, height, illumination and sign separation from less intense uses.
- Number of signs: One wall or freestanding digital display sign. (This sign shall be in lieu of an otherwise allowed freestanding sign).
- Hours of operation: 6:30 a.m. – 11:30 p.m.
- Separation from residential uses: 500 feet (min)
- Light intensity: No changes in light intensity (other than between day and night) shall be permitted.
- Message dwell time: 8 seconds (min).
- Message transition time: Instant message transition or a fading transition of no more than 1 second. At no time shall a digital display go blank during a transition.

- **Brightness control:** A sensor or other device shall automatically adjust the brightness of the digital display based on ambient lighting changes, in compliance with applicable State and local lighting standards.

Digital signs are not permitted within the Mission Historic District.

Approval of digital sign proposals will be subject to the following findings:

1. The proposed sign(s) conform with the criteria set forth in Article 33A;
2. The proposed sign(s) is/are compatible with other signs on the site and in the vicinity;
3. The proposed sign(s) will not adversely impact traffic circulation in adjacent right-of-way or create a hazard to vehicular or pedestrian traffic; and
4. The proposed sign(s) will not have an adverse visual impact on adjoining land uses.

#### **Planning Commission Directive #4: Sign Reduction Program**

**Mandatory Abatement Program:** The 1992 sign ordinance contains amortization provisions for non-conforming signs. The intent of these provisions is to encourage and promote compliance of existing signs and eventual elimination of nonconforming signs. The useful and legal life of a legal non-conforming signs is set forth in Section 3307.D of the 1992 zoning ordinance at 15 years and is calculated from the date of adoption of the regulation making a sign non-conforming. The most recent amortization period for non-conforming signs was established in 1992 and expired in 2007. Limited availability of Code Enforcement staff resources has delayed initiation of abatement proceeding to remove non-conforming signs that are beyond their useful and legal life.

During the January 23, 2012, Planning Commission workshop, the idea of establishing a voluntary sign reduction program was raised by Commissioners. Staff's research on the subject led to review of the City of Los Angeles' sign district regulations which include provisions for a sign reduction program. This program provides for permanent reduction to the total square footage of signs permitted within a defined area when additional flexibility or customization of sign regulations are sought in order to enhance existing area characteristics or establish a sign theme.

**Staff recommendation:** Utilizing a voluntary sign reduction program could serve as a way to reduce excessive visual clutter within areas where flexibility in implementing sign provisions is desirable. Staff has included provisions in the revised 1992 draft sign ordinance, under the Comprehensive Sign Package regulations of Section 3307 A. 2, to facilitate high quality innovative design through technologically advanced sign solutions (inclusive of digital signs) in conjunction with a sign reduction program of legally permitted signs, in an effort to eliminate or reduce sign blight. The removal of unlawfully maintained signs or signs whose lawful rights are expiring would not constitute a sign reduction under this sign reduction program.

### **Planning Commission Directive #5: Digital Display Sign Kiosks**

Article 33B of the proposed sign ordinance consolidates provisions for signage on City-owned property. Sign ordinance Section 3316 establishes regulations for a kiosk program which provides directional, event and community signage. During the January 23, 2012 workshop, the concept of incorporating digital display signage within the public right-of-way was discussed among Commissioners and suggested as an addition to proposed ordinance provisions.

**Staff Recommendation:** Pursuant to Planning Commission's direction, provisions for inclusion of pedestrian oriented digital signage displays have been added under Section 3316, Kiosk Program Signage. Consideration/approval of kiosk design and locations remain unmodified and is at the discretion of the Development Services Director or Economic and Community Development Director.

### **Planning Commission Directive #6: Prohibition of Feather Signs**

Feather signs or feather banner signs are a recent advertising phenomenon. These signs are constructed of a flexible pole of varying height to which one side of a flexible fabric, generally in the shape of a feather or similar shape, is attached, and is used for the primary purpose of advertising or attention-getting. In recent months such signs have saturated major business arterials within Oceanside contributing to visual clutter and sensory and information overload.

**Staff Recommendation:** On January 23, 2012, staff was directed by the Commission to include provisions in the draft sign ordinance to ban feather signs. Pursuant to this direction, appropriate text prohibiting feather signs was added under Section 3305.R of the proposed sign ordinance.

### **ENVIRONMENTAL DETERMINATION**

Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Planning Division finds that the proposed project involves regulatory changes and would not, in and of itself, occasion land development or any other material change to the environment. Projects seeking to implement the amended provisions would be subject to separate CEQA review. More specifically, subsequent CEQA review will be required for signage proposals involving billboards on city owned property. Digital display signage on private property will be subject to discretionary entitlement review (Comprehensive Sign Package) and any required CEQA review will be completed in conjunction with specific project submittals. Therefore, in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b) (3), the proposed zoning text amendment does not have the potential for causing a significant effect on the environment and therefore is not subject to CEQA review.

**SUMMARY**

The proposed revisions to the City's sign ordinances will ensure regulation of signs in a constitutional manner, and in the best interest of the City. Staff therefore recommends that the Planning Commission:

- Adopt Planning Commission Resolution No 2012-P06 recommending approval of Zoning Amendment (ZA11-00004) and Local Coastal Program Amendment (LCPA11-00002) to the City Council with findings of approval attached herein.

PREPARED BY:

  
Amy Fousekis  
Principal Planner

SUBMITTED BY:

  
Jerry Hittleman  
City Planner

Attachments:

1. Planning Commission Resolution No. 2012-P06
2. Exhibit "A" – Proposed Zoning Ordinance Text Amendment
3. Summary Matrix of Digital Sign Standards

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2012-P06

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING  
5 APPROVAL OF AMENDMENTS TO CITY SIGN  
6 ORDINANCE PROVISIONS AND ESTABLISHING THE  
7 AMENDED TEXT AS PART OF THE LOCAL COASTAL  
8 PROGRAM

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6 APPLICATION NO: ZA11-00004, LCPA11-00002  
7 APPLICANT: City of Oceanside  
8 LOCATION: Citywide

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8 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES  
9 RESOLVE AS FOLLOWS:

9 WHEREAS, Article 33, of the 1986 Zoning Ordinance and Article 33 of the 1992  
10 Zoning Ordinance set forth regulations for signage within certain portions of the City of  
11 Oceanside; and

12 WHEREAS, on December 8, 2008, the California Coastal Commission (CCC)  
13 established with the City of Oceanside that development including sign proposals in those  
14 portions of the Coastal Zone located outside of the Downtown Area (District "D") would be  
15 reviewed for consistency under the standards of the City's 1986 Zoning Ordinance, in light of  
16 the fact that the previously applicable 1992 Zoning Ordinance had never received CCC  
17 certification; and

18 WHEREAS, on May 11, 2009, the City acknowledged in correspondence to the CCC a  
19 legal obligation to use the 1986 Zoning Ordinance as the standard for review of development  
20 proposals within those portions of the Coastal Zone located outside of District "D"; and

21 WHEREAS, amendments to the 1986 and 1992 sign ordinance are necessary to ensure  
22 regulation of signs in a constitutional manner citywide; distinguish regulatory from proprietary  
23 sign regulations; establish parameters for emerging sign technologies (including digital display  
24 signs); and update or clarify existing definitions and regulations; and

25 WHEREAS, on January 23, 2012, a Planning Commission workshop was held to discuss  
26 potential sign ordinance amendments and solicit preliminary input from the Planning  
27 Commissioners and public at large; and

1           WHEREAS, the Planning Commission did, on the 13th day of February, 2012, conduct a  
2 duly advertised public hearing as prescribed by law to consider staff recommendations for zoning  
3 text amendments to the 1986 and 1992 Zoning Ordinances; and

4           WHEREAS, in accordance with the provisions of the California Environmental Quality  
5 Act (CEQA) Guidelines Section 15061 (b) (3), the proposed project does not have the potential  
6 for causing a significant effect on the environment and therefore is not subject to CEQA review;  
7 and

8           WHEREAS, a Notice of Exemption was prepared by the Resource Office of the City of  
9 Oceanside for this project pursuant to the California Environmental Quality Act of the 1970 and  
10 State Guidelines;

11           WHEREAS, studies and investigations made by this Commission and on its behalf reveal  
12 the following facts pertaining to the proposed Zoning Text Amendments and Local Coastal  
13 Program Amendment:

- 14 1.       The Zoning Text Amendments and Local Coastal Program Amendment, as proposed,  
15 conform to the City of Oceanside General Plan.
- 16 2.       The Zoning Text Amendments and Local Coastal Program Amendment, as proposed,  
17 conform to the California Coastal Act.

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1 3. That the granting of the Zoning Text Amendments and Local Coastal Program  
2 Amendment is consistent with the purposes of the 1986 and 1992 Zoning Ordinance, as  
3 these amendments will facilitate sign regulation in a constitutional manner citywide and  
4 in the best interest of the City.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
6 recommend approval of Zone Amendment (ZA11-00004) and Local Coastal Program  
7 Amendment (LCPA11-00002), amending Article 33 of the 1986 Zoning Ordinance and Article 33  
8 of the 1992 Zoning Ordinance as represented in the attached Exhibit "A".

9 PASSED AND ADOPTED Resolution No. 2012-P06 on February 13, 2012 by the  
10 following vote, to wit:

11 AYES:

12 NAYS:

13 ABSENT:

14 ABSTAIN:

15 \_\_\_\_\_  
16 Tom Rosales, Chairperson  
17 Oceanside Planning Commission

18 ATTEST:

19 \_\_\_\_\_  
20 Jerry Hittleman, Secretary

21 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
22 this is a true and correct copy of Resolution No. 2012-P06.

23 Dated: February 13, 2012  
24

## Article 33A Signs

### Sections:

3301	<u>Title, Purposes and Intent</u>
3302	<u>Basic Principles</u> Definitions and Abbreviations
3303	<u>Definitions</u> General Design Guidelines
<b>3304</b>	<b><u>Permitted Signs</u> Signs Allowable Subject to Sign Permit</b>
33045	<u>Prohibited Signs</u> Permitted Signs
33056	<u>General Sign Standards</u> Procedures for Sign Approval
33067	<u>Procedures for Sign Approval</u> On-Site/Off-Site Residential Directional Signs
33078	<u>Non-Conforming Signs</u> Prohibited Signs
<b>3309</b>	<b><u>Enforcement</u></b>
<b>3310</b>	<b><u>Severability</u></b>

### 3301 Title, Purposes and Intent

~~It is the intent of this sign ordinance regulation to preserve and enhance the aesthetic, traffic safety and environmental values of our communities and growing commercial/industrial districts, while at the same time providing channels of communication to the public. It also is the City's intent to regulate on the basis of characteristic and proportion of signage. The City finds that commercial signage constitutes the majority of existing signage and desires to limit such signage to on-site locations in order to keep proliferation of such signage to a more aesthetic proportion, while providing a channel of communication to advertise businesses. The City finds that it is in the interest of both aesthetics and traffic safety that sign information be kept to a minimum. It is the intent of this sign ordinance to enhance traffic safety by ensuring that signage does not distract, obstruct or otherwise impede traffic circulation. Proper sign control also safeguards and preserves the health, property, and public welfare of Oceanside residents through prohibiting, regulating, and controlling the design, location, and maintenance of signs. Signage that results in a traffic hazard may be abated through the nuisance abatement process set forth by statute.~~

~~Non-commercial signage is permitted wherever other signage is permitted within Article 33 and is subject to the same standards and total maximum allowances for a site of each sign type specified in this Article.~~

- A. Title. This Article may be known as the Sign Ordinance of the City of Oceanside, California.
- B. Purposes. This Article establishes a comprehensive system for the regulations of signs, as defined herein, within the defined regulatory scope of this Article, in the City of Oceanside, California.

- C. Intent. By adopting this Article, the City intends to balance several competing interests, including: (1) to regulate signs in a constitutional manner, with rules that do not regulate protected noncommercial speech by content or favor commercial speech over noncommercial speech; (2) to provide adequate opportunity for persons to express themselves by displaying an image or message on a sign; (3) to preserve and enhance the aesthetic, traffic safety and environmental values of our communities and growing commercial/industrial districts; (4) to minimize distraction, obstruction or other impediments to traffic circulation which would be caused by excessive or inappropriately placed signage; (5) to safeguard and preserve the health, property, and public welfare of Oceanside residents by regulating the physical design, location, and maintenance of signs; and (6) to provide a method for abatement of illegal and abandoned signs.

3302 Basic Principles

- A. Authority. This Article is adopted pursuant to the California Constitution Article XI, Section 7; the City's Charter; and general and police powers, California Government Code Sections 65000 et seq., 65850(b), 38774, and 38775; Business and Professions Code Sections 5200 et seq., 5230, and 5490 et seq., 13530 et seq., 13540, Penal Code 556 et seq., and other applicable State laws.
- B. Regulatory Scope. This Article regulates signs, as defined herein, which are located on or displayed from, private property located within corporate limits of the City, as well as signs located on public property owned by public agencies other than the City, its Redevelopment Agency and other affiliate entities, over which the City has land use regulatory authority. Signs on City property, as defined herein, are regulated by Article 33 B.
- C. Owner's Consent. No sign may be displayed on private property without the consent of the property owner or person holding the present right of possession and control of the property.
- D. Noncommercial Messages. There is no location criterion for noncommercial messages that are protected by the First Amendment to the U.S. Constitution and/or the corollary provisions of the California Constitution.
- E. Message Substitution. Subject to the land owner's

consent, any constitutionally protected noncommercial message may be substituted for any duly permitted or allowed commercial message, or any duly permitted or allowed noncommercial message, provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting.

- F. Compliance Required. Signs, as defined herein, may be displayed within the City only in compliance with the rules stated in this Article and all other applicable laws, rules and regulations and policies. When a permit is required, an application will be approved if it conforms to all applicable laws, rules regulations and policies. If the application does not comply, then it will be denied in a written decision which specifies all points of noncompliance. The decision on the sign permit application shall be rendered within 45 calendar days of when the application is complete and all applicable fees are paid. Applications will be processed according to the procedures stated in Section 3307 of this Article.
- G. Permit Generally Required. Unless exempted from the sign permit requirement, all signs shall be installed or displayed only pursuant to a sign permit issued by the City.
- H. Discretionary Approvals. Whenever a sign or a proposed sign is subject to any discretionary review, permit, or approval, such discretion may be exercised only as to the compatibility of the sign within its location, and other structural, architectural and locational factors. Discretion may not be exercised as to the artistic merit or graphic design elements of the proposed sign or the message itself so long as such message is not excluded from First Amendment (U.S. Constitution) protection under relevant court decisions.
- I. Administrator Interpretations. All interpretations of this Article shall be exercised in light of message neutrality and message substitution policies. Where a particular type of sign is proposed, and the type is neither expressly allowed nor prohibited by this chapter, or whenever a sign does not qualify as a "structure" as defined in the Building Code, as adopted by the City of Oceanside, then the Planning Commission or City Planner, as applicable, shall approve, conditionally approve or disapprove the application based on the most similar sign type, using physical and structural similarity, that is expressly regulated by this Article.

J. Compatibility factors. In determining compatibility of a sign with its surrounding environment, the following criteria may be considered: (1) Style or character of existing improvements upon the site and properties adjacent to the site; (2) Visual elements such as construction materials, physical design details, and the number and spacing of signs in the area; (3) The sign's height, size and location, in relation to its proposed location and use; (5) Potential effect of the proposed sign on driver and pedestrian safety; (6) Potential blocking of view (whole or partial) of a structure or façade or public view of natural, historical or architectural significance; (7) Potential obstruction of views of users of adjacent buildings to side yards, front yards, open space, or parks; (8) Potential negative impact on visual quality of public spaces, including but not limited to recreation facilities, public squares, plazas, courtyards and the like; (9) Whether the sign structure will impose an aesthetically foreign or inharmonious element into the existing skyline or local viewscape.

K. Billboard Policy. New billboards, as defined herein, are prohibited. It is a fundamental land use policy of the City to completely prohibit the construction, erection or use of any and all billboards, other than those which legally exist in the City, for which a valid permit has been issued and has not expired, as of the date on which this chapter, or when a prior version of this chapter containing a provision to the same effect, was adopted. In adopting this chapter, the City Council affirmatively declares that it would have adopted this policy even if it were the only provision in this chapter. The City Council intends for this billboard policy to be severable and separately enforceable even if other provision(s) of this chapter may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid or unenforceable. This prohibition does not apply to agreements to relocate presently existing legal billboards as encouraged by State law including, but not limited to, Business and Professions Code Section 5412, as that section may be amended from time to time.

### 3303 Definitions

For purposes of this Article, the following definitions shall apply:

A- ABANDONED SIGNS

A sign is deemed abandoned when for a period of 90 days or more, any of the following conditions are met: 1) there is no sign copy appearing on the sign, or 2) where the establishment with which the sign is associated has ceased operation, or 3) where it is relatively clear that the sign has been forsaken or deserted. Any sign which is a conforming sign not in use, but which could be re-used in conjunction with the ownership or operation of a new business on a property, shall not fall under the definition of abandoned.

B. ALTERATION

Any change of size, shape, illumination, position, location, construction or supporting structure of an existing sign.

C. ANIMATED SIGN

A sign with action or motion, rotating, flashing or color changes, not including sign elements that are excepting therefrom wind actuated by wind or forced or accelerated air or gas, elements such as flags, banners, streamers, whirligigs or other similar devices, and public service signs such as time and temperature units. Digital display (Electronic Message) signs that expose messages for 8 seconds or more and do not appear to be in motion nor change in intensity (other than between day and night) are not within this definition.

~~D. BALLOON, INFLATABLE SIGNS, OR INFLATABLE ATTENTION-GETTING DEVICES~~

~~Any air or gas filled device located, attached, or tethered to the ground, site, merchandise, building, or roof and used for the purposes of signage, advertising, or attention-getting.~~

E. BANNER

Any sign of lightweight fabric or similar material that is attached to a building or other structure, and used for advertising and/or attention getting. erected for another purpose. ~~Flags, as defined in this Section, shall not be considered banners.~~ are not within this definition.

BILLBOARD

A permanent sign structure in a fixed location which meets any one or more of the following criteria: 1) It

is used for the display of off-site commercial messages; 2)it is used for general advertising; 3)the message display area, or any part thereof, is made available to message sponsors other than the owner(s) or operators(s) of the sign; 4)the sign is a principal or secondary use of the land, rather than appurtenant or accessory to some other principal use of the land.

F. BUILDING COMPLEX

A building or group of buildings on one or more lots or building sites containing three or more separate businesses or industrial uses and sharing common parking facilities.

G. BUILDING FACE

The outermost surface of any exterior wall of a building, but not including cornices, bay windows, balconies, or other architectural features which extend beyond the general outermost surface of such exterior wall.

H. CANOPY SIGN

Any sign that is part of a projecting awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance or window or outdoor service area. ~~, or otherwise attached to a building face.~~

I. CHANGEABLE COPY SIGN

A sign on which it is possible to change the display copy by hand or with ordinary hand tools, or by electronic control. ~~with changeable copy, regardless of the method of attachment or the materials of construction.~~

CITY PROPERTY

Any parcel of land that is owned or controlled by the City of Oceanside, or any of its related entities, or that is within the public right-of-way. Land and facilities over which the City holds the present right of possession and control are within this definition.

COMMERCIAL MASCOT

A person or animal attired or decorated with commercial insignia, images, costumes, masks or symbols, and/or holding signs displaying commercial messages, when a

principal purpose is to draw attention to or advertise a commercial enterprise. This definition includes "sign twirlers", "sign spinners", "sign clowns", "sign walkers", "human directional", and human "sandwich board" signs.

J. COMMERCIAL SPEECH

Any message which proposes a commercial transaction or primarily concerns the economic interests of the message sponsor and/or the viewing audience. Also known as "commercial message". ~~the prevailing thrust of which is to propose a commercial transaction.~~

K. COMMERCIAL SIGNAGE

~~Any sign with wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.~~

CONSTRUCTION SITE SIGN

A sign that is displayed on the site of a construction development project during the period of time of actual construction.

L. CORNER CLEAR ZONE

The area at a street corner inscribed by a line drawn between points established by measuring back 15 feet from the beginning of the curb radius along the curb line, or edge of pavement when there is no curb, and the face of the curb or edge of pavement.

COURTESY SIGN

A sign whose message provides functional information for the convenience of the public, such as hours of operation, open/closed, credit cards accepted, entrance and exit locations and restroom directions.

DIGITAL DISPLAY

"Digital display" means display methods utilizing LED (light emitting diode), LCD (liquid crystal display), plasma display, projected images, or any functionally equivalent technology, and which is capable of automated, remote or computer control to change the image.

DIRECTIONAL SIGN

A sign whose message provides directional information for drivers and pedestrians.

M. DORMER

A structure located above the height of a wall projecting from a sloping roof that is enclosed on both sides and top, and does not project above the top of the roof structure.

N. DWELLING UNIT

Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation.

ELECTION PERIOD

That period of time which begins 30 days before a special, general, or primary election in which at least some registered voters in the City are eligible to vote, and ends 5 days after such election.

ELECTRONIC MESSAGE

A sign using electronic or digital technology, including but not limited to LED (light emitting diodes) or CCD (charge emitting diodes) or plasma, or their functional equivalent, which is capable of displaying, changing or changeable images.

O. ENFORCEMENT OFFICER

Any City official or agent designated by the City Manager as having authority to enforce the provisions of this Article.

ESTABLISHMENT

Any legal use of land, other than long-term residential, which involves the use of structures subject to the Building Code. By way of example and not limitation, this definition includes businesses, factories, farms, schools, hospitals, hotels and motels, offices and libraries, but does not include single-family homes, mobile homes, residential apartments, residential care facilities, or residential condominiums. Multi-unit housing developments are considered establishments during the time of construction; individual units are not within the meaning of establishment, however, once a certificate of occupancy has been issued or once residency begins.

## FEATHER BANNER

"Feather banner" or "feather banner sign" means a flexible pole to which one side of a flexible fabric, generally in the shape of a feather or similar shape, is attached, and which is used for the primary purpose of advertising or attention-getting by the public display of visually communicative images. Such banners are also known and sold under names which include, but are not limited to, "quill sign," "banana banner," "blade banner," "flutter banner," "flutter flag," "bowflag," "teardrop banners," and others. The definition includes functionally similar display devices.

## P. FLAG

A piece of fabric or other flexible material, usually rectangular, of distinctive design, used as a symbol. Well known symbols that are commonly placed on flags, when placed on a solid surface, such as a wall or door, are not within this definition. device, generally made of flexible materials, usually cloth, paper or plastic, usually used as a symbol of a government, school, or religion, and not containing a commercial message.

## Q. FREESTANDING SIGN

Any sign supported by structures or supports that are placed on, or anchored in, the ground which are independent from any building or other structure. This definition may include pole signs, ground signs and monument signs. A sign which is self supported by mounting on the ground, in contrast to being attached to and/or supported by some other structure, such as a wall, door or window. Common types include pole signs, ground signs and monument signs.

## GARAGE SALE SIGN

A sign whose message concerns short-term rummage, estate, boutique or garage sales of used or handmade common household items from a residential property.

## GENERAL ADVERTISING

The enterprise of advertising or promoting other businesses or causes using methods of advertising, in contrast to self-promotion or onsite advertising. Also known as "advertising for hire" or "general advertising for hire".

R. GROUND SIGN

Any freestanding sign greater than 6 feet in height and supported wholly by uprights, braces, or poles in or upon the ground and where any supports or angle irons are enclosed in a wood, plastic, metal or other decorative form, such that the angle irons or supports are not visible. The entire bottom of a ground sign is generally in contact or in close proximity to the ground.

S. HEIGHT

The height of any sign shall be the measurement of the distance from the top of the sign structure cabinet, including all ornamentation and supports, to the existing grade beneath the sign.

HISTORIC MARKER

Signs or markers placed, approved or authorized by the City, State or Federal Government to be located on historic sites, points, or structures, or which describe directions to such from prominent visible locations within the public right-of-way.

T. ILLEGAL SIGN

~~Any sign placed without all required government approval and/or permits at the time said sign was placed or is an existing sign which was not constructed in accordance with the ordinances and other applicable laws in effect on the date of construction, did not receive government approval or permits, or a legal nonconforming sign that has exceeded its authorized amortization period.~~

A sign that was installed without proper City or other approvals and/or permits at the time it was initially installed, and which has not been legalized by later action. This definition also includes a sign that was erected in conformance with all applicable laws, rules, and regulations in effect at the time of installation, but which was subsequently altered so as to be out of compliance with applicable law, including the terms of permits which authorized construction. All signs described in Business and Professions Code Section 5499.1 and defined therein as an "illegal on-premises advertising display" are also within this definition.

U. ILLUMINATED SIGN

Any sign employing the use of lighting sources for the

purpose of decorating, outlining, accentuating or brightening the sign area. This definition does not include signs lit only by ambient lighting.

V. INCIDENTAL SIGN

A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "loading only", "telephone" and other similar directives. A sign that also includes a commercial message is not considered incidental.

W. INSTITUTIONAL

Uses whose primary function is furtherance of the public health, safety and welfare, generally, but not exclusively non-commercial in nature, including, but not limited to the following: hospitals and similar health care facilities, airports, cemeteries, recreational clubs and lodges, museums, theaters and similar cultural institutions, churches and similar religious institutions, detention facilities, fire and police stations, emergency shelters, marinas, parks and similar recreational facilities, schools and similar educational institutions, public utility facilities other than business offices.

INFLATABLE SIGNS AND ATTENTION GETTING DEVICES

Any advertising device which is filled or activated by air or gas and is located, attached, or tethered to the ground, site, merchandise, building, or roof and used for the purposes of signage, advertising, or attention-getting.

X. LEGAL NON-CONFORMING SIGN

A sign which was legal when first erected, with all necessary permits, but due to a change in the law it became nonconforming.

Y. LOT

Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer of ownership.

Z. LOT FRONTAGE

Those portions of a lot or building site which abut a public street. For purposes of determining frontage on corner lots and through lots, all sides of a lot abutting a public street (excluding an alley) shall be considered frontage.

AA. MARQUEE

A permanent roofed structure attached to and supported by the building and projecting beyond the building face.

BB. MONUMENT SIGN

A freestanding sign not exceeding 6 feet in height which is supported by a base which extends the entire length of the sign area and is an integral part of the design.

CC. MULTI-FACED SIGN

A sign with two or more sign faces where any two sign faces are oriented such that they have an interior angle of greater than 45 degrees from each other.

~~DD. NON-COMMERCIAL SIGNAGE~~

~~Any signage which is not determined to be commercial signage, as defined herein.~~

~~EE. NON-COMMERCIAL SPEECH~~

~~Any message which is not determined to be commercial speech as defined herein. A constitutionally protected message that is not commercial in nature and which presents debate or commentary on topics of public interest and concern, by way of example and not limitation, politics, religion, philosophy, science, art or social commentary. The onsite/off-site signage distinction does not apply to non-commercial messages or signs displaying them.~~

FF. NON-STRUCTURAL TRIM

The molding, battens, caps, nailing strips, lattice, cutouts, or letters and walkways which are attached to the sign structure.

~~GG. OBSCENE SIGNS~~

~~Signage when taken as a whole, which to the average~~

~~person applying contemporary statewide standards, appeals to the prurient interest and as a whole depicts or describes in a patently offensive way sexual conduct which lacks serious literary, artistic, political or scientific value.~~

~~HH. OFF-SITE COMMERCIAL SIGNAGE~~

~~Signage that is not located on the site of the business, accommodations, services, or commercial activity served by the sign.~~

~~II. ON-SITE COMMERCIAL SIGNAGE~~

~~A sign that advertises the commercial business, accommodation, services or activities provided on the premises on which the sign is located, or expected to be provided in the near future. In the case of developments subject to a sign program, all establishments subject to the program are considered onsite whenever located within any area covered by the program. Similarly, all establishments within a shopping center are onsite as to any sign(s) also located within the shopping center. As to construction signs, "onsite" includes messages related to any and all parties involved in the specific construction project.~~ advertising the business, accommodations, services or commercial activities provided on the site on which the sign is located.

~~JJ. PERMANENT SIGN~~

~~A sign which is constructed of rigid material and is securely attached to a building, wall, fence, sign structure or into the ground, and is designed for and intended to be on display long term. All signs described in Business and Professions Code 54099.1(b) as "on-premises advertising displays" are within this definition.~~

~~Any legal sign designed or used in excess of 45 days.~~

~~KK. PERMITTED SIGN~~

~~A sign which may be displayed only with a sign permit issued pursuant to this Article. Also called "signs subject to permit requirements".~~

~~Signs permitted pursuant to this Article.~~

~~LL. POLE SIGN~~

~~A sign wholly supported by one or more poles and otherwise separated from the ground by air.~~

MM. PROHIBITED SIGNS

~~A signs specified within in Section 3304 of this Article as prohibited, or prohibited by other bodies of law. or any sign not specified in Section 3303 nor in compliance with the design criteria of this Article.~~

NN. PROJECTING SIGN

A sign which projects more than 12 inches from the exterior face of a building wall or facade and which uses the building wall as its primary source of support.

OO. PROJECT ENTRANCE SIGN

A permanent sign located near the entrance to a housing complex, mobile home park, condominium subdivision or other residential subdivision which was developed with a neighborhood name, or is operated under a community name.

~~An on-site sign used to identify the name of an apartment housing complex, mobile home park, condominium subdivision or other residential subdivision.~~

PROTECTED

A message that is within the protection of the First Amendment of the United States constitution and/or corollary provisions of the California constitution, and has not been excluded from such protection by court decisions.

PP. PUBLIC SERVICE SIGN

A non-commercial sign that provides general information that benefits the public, such as ~~electronic changeable~~ time and temperature units.

QQ. REPAIR

~~The renewal of any part of an existing sign for the purpose of its maintenance.~~

RR. ROOF SIGN

A sign erected upon or above a roof or a parapet of a building or structure, and not contained within a dormer.

SS. SETBACK AREA

~~The setback area shall be~~ That area defined as the "required minimum yard" as specified by the Zoning Ordinance for each Zoning District, unless a specific setback is designated within this Article. Also called "required setback".

~~TT.~~ SIGN

The public display of a visual image, which is intended to be communicative, and which advertises, informs, projects, displays, or identifies persons, businesses, commodities, services, ideas or information, when such image is visible from any portion of the public right-of-way or from any exterior place which is open to the public. This definition includes, but is not limited to all writing, trademarks, graphic design elements, illustrations and lighting primarily directed at facilitating communication, as well as all supporting structures. Notwithstanding the generality of the foregoing, the following are not within the definition of sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public, with the exception of the following.

- ~~TT.1~~ Such devices not exceeding one square foot in area and bearing only property numbers, post box number, names of occupants, or other similar identification on a site.
- ~~TT.2~~ Flags as defined in Section 3303 of this Article.  
~~and other insignia of any government not displaying a commercial message.~~
- ~~TT.3~~ Legal notices, identification, informational or directional/traffic controlling devices erected or required by government agencies.
- ~~TT.4~~ Decorative or architectural features of buildings, ~~except~~ letters, (not including lettering or trademarks or moving parts) which do not perform a communicative function (examples include color stripes around an office building or retail store).
- ~~TT.5~~ Holiday and cultural observance decorations displayed in season, including inflatable objects, on private residential property which are on display for no more than 45 calendar days per year (cumulative, per dwelling unit) and which do not

include commercial messages. decorations and lights.

- ¶.6 Government traffic controlling devices are not considered signs for purposes of this Article due to their distinct purpose.
7. Aerial banners towed behind aircraft.
  8. Automated teller Machines (ATMs, when not used for general advertising).
  9. Cornerstones and foundation stones.
  10. The legal use of fireworks, candles and artificial lighting not otherwise regulated by this chapter.
  11. Grave markers, gravestones, headstones, mausoleums, shrines, and other markers of the deceased.
  12. Historical monuments, plaques and tablets.
  13. Inflatable gymnasiums associated with legal residential uses - inflatable, temporary, moveable gymnasium devices commonly used for children's birthday parties, and similar devices (also called "party jumps" or "bounce houses"), including balloons.
  14. Interior graphics - visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof.
  15. California State Lottery signs, approved by the Lottery Commission for display by Lottery Game Retailers, in accordance with the California Government Code.
  16. Manufacturer's marks - marks on tangible products, which identify the maker, seller, provider of product, and which customarily remain attached to the product even after sale.
  17. Mass transit graphics - graphic images mounted on duly licensed and authorized mass transit vehicles that legally pass through the City.
  18. Searchlights used as part of a search and rescue or other emergency operation (this exclusion does not apply to searchlights used as attention attracting devices for commercial or special

events).

19. Shopping carts, golf carts, horse drawn carriages, and similar devices (any self-propelled or motorized vehicle which may be legally operated upon a public right-of-way is not within this exclusion).
20. Symbols embedded in architecture - symbols of non-commercial 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, by way of example and not limitation, such symbols include stained glass windows on churches, carved or bas relief doors or walls, bells and religious statuary.
21. Vehicle and vessel insignia - on street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel. All other vehicle signs on: 1) vehicles parked on public right-of-way are not permitted and 2) vehicles parked on private property will count toward the total allowable display area.

UU-SIGN AREA

The entire area contained within the frame, cabinet or fixture, including all ornamentation or decoration used to attract attention. In the case of pole signs, that area above the supporting column, provided such supporting column is not decorated or displayed with advertising. The area of signs painted on walls, individual letter signs, through signs, and other directly illuminated signs, shall be calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. The area of any two or more faced signs or "V" type signs having any interior angle of more than 45 degrees (multi-faced signs) shall be the total area of all faces or panels. If all interior angles are 45 degrees or less, the greatest sized panel or face shall only be counted as the sign area.

VV-SIGN COPY

Any words, letters, numbers, figures, designs or other

symbolistic representation incorporated into a sign with the purpose of attracting attention to the subject matter.

WW.-SIGN FACE

The surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

XX.-SIGN STRUCTURE

Any structure that supports or is capable of supporting any sign as defined in this Section. A sign structure may be a single pole and may or may not be an integral part of the building.

YY.-SITE

A lot, or group of contiguous lots, with or without development, in single ownership, or having multiple owners, all of whom join in an application for signage.

ZZ.-STREET

A public or private highway, road or thoroughfare which affords the principal means of access to adjacent lots.

TEMPORARY MESSAGE

A message that pertains exclusively to a special event which occurs on, or ends on, a particular day.

AAA.-TEMPORARY SIGN

A sign that is constructed of lightweight or flimsy material, and is easily installed and removed using ordinary hand tools. Any sign that qualifies as a "structure" under the Building Code is not within this definition.

~~Any sign that is displayed for a limited period of time as defined in this Article.~~

BBB.- WALL SIGN

Any sign attached to, erected against, or painted or inscribed upon the wall of a building or structure, with the exposed face of the sign on a plane parallel to the plane of said wall and not located above the roof line, parapet or facade (except when enclosed within a dormer), which does not project more than 12 inches from the building wall.

~~ccc.~~ WINDOW SIGN

Any sign or combination of signs in excess of four (4) square feet, displayed on or behind a window or similar opening in wall.

**33034**      ~~PERMITTED SIGNS~~ SIGNS ALLOWABLE SUBJECT TO SIGN PERMIT

Signs are permitted under the various use classifications or locations as specified in A through F ~~±~~ of this Section 33043.

A. INDUSTRIAL, INSTITUTIONAL OR COMMERCIAL USE - PERMANENT SIGNS

The following types of signs may be mounted, erected, installed and displayed on commercial, institutional and industrial uses, subject to a sign permit and the rules stated in this section. All commercial messages shall be onsite only.

~~The following types of signs are permitted for commercial and industrial uses in order to provide a wide range of options for advertisement, identification, and non-commercial, or other messages. Commercial and/or non-commercial signage is allowed on-site of a commercial or industrial use. The total area of commercial plus non-commercial signage shall not exceed the maximum allowable area for signage for the commercial or industrial site. All commercial signage shall relate to on-site advertising, identification or activities. Non-commercial signage need not relate to on-site identification or activities but shall otherwise meet the general and specific design standards and the requirements of this Article.~~

**A-1**      FREESTANDING SIGN

~~A fFreestanding sign types include may be a pole signs, ground signs or monument signs.~~

**A.1.a.**      POLE OR GROUND SIGNS

A pole or a ground sign may be permitted if all of the following design standards are met in addition to the General Design Standards contained in Section 33056:

**A.1.a(1)**      Frontage Requirement:

The site shall have a street frontage of at least 200 feet.

**A.1.a(2)** Number of Allowed Signs:

**A.1.a(2)(a)** The identification of a single use not located within a building complex will be limited to one freestanding pole or ground sign.

**A.1.a(2)(b)** The identification of uses located within a building complex will be limited to one freestanding pole or ground sign per each 1000 feet of street frontage provided that complexes with multiple street frontages may be allowed one secondary ground sign with a maximum height of 15 feet provided the total allowable sign area is not exceeded. No individual use located within a building complex will be permitted to have its own freestanding pole or ground sign.

**A.1.a(3)** Sign Area: The total sign area of all freestanding pole or ground signs for a single building or a building complex shall not exceed the following:

<u>Total Building(s) Area Square Footage</u>	<u>Total Sign Area Allowance</u>
0-10,000 sq.ft.	50 sq.ft.
10,001-20,000 sq.ft.	100 sq.ft.
20,001- 50,000 sq.ft.	150 sq.ft.
50,001- 100,000 sq.ft.	200 sq.ft.
100,001- 200,000 sq.ft.	250 sq.ft.
Over 200,000 sq.ft.	300 sq.ft. maximum

**A.1.a(4)** Sign Height: The height of a freestanding pole or ground sign shall not exceed the following standards:

<u>Total Building(s) Area Square Footage</u>	<u>Total Sign Height Allowance</u>
0-20,000 sq.ft.	20 feet
20,001 - 75,000 sq.ft.	25 feet
Over 75,000 sq.ft.	30 feet maximum

**A.1.a(5)** Location: Freestanding pole or ground signs shall not be placed ~~on any public property or~~ within a corner clear zone and shall be located so as to not create a pedestrian or traffic hazard.

**A.1.a(6)** ~~Proposed Building: The freestanding pole/ground sign standards may apply to~~

~~proposed building dimensions during construction of a site.~~

**A.1.b** MONUMENT SIGNS

Freestanding monument signs may be permitted subject to following design standards in addition to the General Design Standards in Section 33056:

**A.1.b(1)** Building Complexes: Limited to one monument sign per each 250 feet of street frontage.

**A.1.b(2)** Single Use: Limited to one monument sign.

**A.1.b(3)** Frontage Requirement: Street frontage on a site where a monument sign is located must be at least 100 feet.

**A.1.b(4)** Sign Area: The sign area of a monument sign shall not exceed the following standards:

<u>Building Area Square Footage</u>	<u>Sign Area Allowance</u>
0-10,000 sq.ft.	40 sq.ft.
10,001-25,000 sq.ft.	50 sq.ft.
Over 25,000 sq.ft.	60 sq.ft. maximum

For the purposes of computing the area of a monument sign and to encourage better design, a border or frame shall not be counted as sign area provided such border or frame does not exceed an additional 25% of the sign area.

**A.1.b(5)** Sign Height: No monument sign including a frame, border or base shall exceed six (6) feet in height as measured from existing grade.

**A.1.b(6)** Sign Location: A minimum distance of 100 feet must be maintained between monument signs. Monument signs shall be placed within a landscaped area. The sign shall not be placed upon any public property or within a corner clear zone, and shall be located as to not create a pedestrian or traffic hazard.

**A.1.b(7)** Sign Structure: The base of a monument sign shall be designed to be an integral part of the sign design, not merely a support. The base of a monument sign shall be solid.

**A.2.** WALL SIGNS

Wall signs are intended to be the primary signage for most uses. The following specific design standards shall apply in addition to the General Design Standards in Section 33056:

**A.2.a** Sign Area:- The maximum size of a wall sign, including a logo, shall be two (2) square feet of sign area for each lineal foot of building frontage. Frontage is computed on an individual basis in multi-tenant buildings. Building frontage shall be measured along that side of the building for which the sign is proposed.

**A.2.b** Sign Length:-

**A.2.b(1)** Front Wall Signs - The length of the sign may be up to 70 percent of the building frontage, to a maximum of 50 feet.

**A.2.b(2)** Side and Rear Wall Signs - The length of the sign may be up to 50% of the building frontage, to a maximum of 30 feet.

**A.2.c.** Sign Copy - Letter height for wall signs shall be as follows:

<u>Building Frontage Width</u>	<u>Maximum Letter Height</u>
0-20 feet	18 inches
21-40 feet	24 inches
41-60 feet	30 inches
61-80 feet	36 inches
81-100 feet	42 inches
Over 100 feet	48 inches maximum

Wall signs shall be limited to a maximum of two (2) lines of copy. The maximum letter height and/or sign face height shall be measured as the combination of both lines of copy, including the space between, or the distance between the top of the sign face and the bottom of the sign face.

**A.2.d** Location:- The top of the sign shall not project above the intersection of the wall and roof or parapet line. Wall signs shall be limited to two sides of a building.

- A.3**                    PROJECTING SIGNS
- A.3.a**                    Projecting signs shall not extend over the public right-of-way unless an encroachment permit is obtained from the City.
- A.3.b**                    Sign Area: A projecting sign shall not exceed 30 square feet.
- A.3.c**                    Number of Allowed Signs: Only one sign per use is allowed and shall only be allowed if the wall it is projecting from does not have any wall signs. (Exception: If a canopy is over the entrance to a use, a projecting sign may be allowed under the canopy at each entrance provided such sign does not exceed eight (8) square feet and the total projecting signage for the use does not exceed 30 square feet).
- A.3.d**                    Sign Clearance: The bottom of any projecting sign shall be at least eight feet above the walkway.
- A.4**                      CANOPY SIGNS  
Any signage on a canopy shall be included in the total allowable wall sign area for that use and must meet the sign area, length and copy standards for wall signs.
- A.5**                      WINDOW SIGNS  
No more than 20 percent of the total window area for any one side of a building shall be used for permanent or temporary sign display.
- A.6**                      DIRECTIONAL INCIDENTAL SIGNS  
Directional ~~Incidental~~ signs shall be no more than three feet high and three square feet.
- A.7**                      A-FRAME AND OTHER PORTABLE SIGNS  
A-frame and other portable signs shall be allowed to be erected and maintained subject to the ~~following regulations:~~
- ~~**A.7.a**                    All signs must meet the standards of the "A-Frame and Portable Design Guidelines".~~

**B.**                      RESIDENTIAL USE

Signage for residential uses is allowed, ~~(except off-site commercial signage and other signage~~ unless specifically

prohibited by this ordinance,† if complying with the following standards:

**B.1 SINGLE FAMILY LOT SIGNAGE SIGNS ON SINGLE AND MULTI-FAMILY RESIDENCES**

**Single family residential units may display signs as stated in this subsection, subject to the rules stated in this subsection. Such signs may be displayed without permits, unless the sign qualifies as a structure under the Building Code, in which case all building and other safety code rules apply.**

**Sign Area: At all times, the total display area of all signs shall not exceed 6 square feet; in the case of freestanding signs, area shall be measured on all sides and shall count separately. However, during the pre-election period, this allowable display area may be increased by 6 square feet.**

**Height: Signs in the corner clear zone shall not exceed 30 inches in height and shall not create a traffic sight obstruction or other traffic or pedestrian hazard.**

**Number of signs: Not limited**

**Location: Not on public property or public right-of-way, or mounted on trees or vegetation.**

**Message types: Any protected non-commercial, real estate signs, garage sale signs. All other commercial messages are prohibited.**

~~3303.B.1.a Total sign area shall not exceed 6 square feet per lot.~~

~~3303.B.1.b Maximum total number of separate signs per lot is 2.~~

~~3303.B.1.c Signs shall not be located on public property. Signs in the corner clear zone shall not exceed 30 inches in height and shall not create a traffic sight obstruction or other traffic or pedestrian hazard.~~

**3303.B.2 MULTI-FAMILY LOT SIGNAGE**

~~3303.B.2.a Total sign area shall not exceed 2 square feet per dwelling unit with an allowable combined site maximum of 32 square feet.~~

~~3303.B.2.b~~ There shall be no more than two (2) signs having a sign area greater than two (2) square feet.

~~3303.B.2.e~~ Signs shall not be located on public property and shall not create a traffic or pedestrian hazard. Signs in the corner clear zone shall not exceed 30 inches in height and shall not create a traffic sight obstruction.

~~3303.B.2.d~~ Incidental Signs may be placed on-site of a multi-family residential use. Incidental signs shall be no more than three feet high and three square feet (square footage is in addition to allowances under b. herein.) The signs shall be permanently placed on site.

### B.32 PROJECT ENTRANCE SIGNS

New housing developments may display signs as authorized by this subsection, subject to the rules stated in this subsection.

The signs authorized by this subsection are in addition to those authorized for individual dwelling units.

Number of Signs Allowed: Two signs per each main vehicular traffic entrance. The signs must be placed within a maintained landscaped area within an acceptable easement or open space lot authorized for signage.

Location: Near the main entrance to the project, on private land. The signs must be placed at the main street intersection of the major entrances to the project in such a location as to not obstruct sight distance. Signs may not be located within a public right-of-way. Signs located in the corner clear zone shall not exceed 30 inches in height, nor create a traffic sight obstruction or other pedestrian or traffic hazard.

Size and Height: Thirty-two square feet (per side); four feet high.

~~Such signs may be installed at the entrance of a project subject to the following limitations:~~

~~3303.B.3.a~~ This signage is allowed in addition to the sign area allowed in 3303.B.1 & 3303.B.2 above.

~~3303.B.3.b~~ Two signs are allowed per site entrance, each sign not to exceed 32 square feet and 4 feet

high.

~~3303.B.3.e~~ The signs must be designed as an integral part of a wall or fence or as a monument sign.

~~3303.B.3.d~~ The signs must be placed within a maintained landscaped area and within an acceptable easement or open space lot authorized for signage.

~~3303.B.3.e~~ The signs must be placed at the main street intersection of the major entrances to the project in such a location as to not obstruct sight distance. Signs may not be located within a public right of way. Signs located in the corner clear zone shall not exceed 30 inches in height, nor create a traffic sight obstruction or other pedestrian or traffic hazard.

C. INSTITUTIONAL, AGRICULTURAL, OR OPEN SPACE USES

The following signs are allowed:

C-1. WALL SIGNS

Wall sign area shall not exceed forty (40) square feet.

C-2. MONUMENT SIGNS

Monument signs shall be not exceed forty (40) square feet, nor six (6) feet in height. Monument signs shall be placed within a landscaped area.

D. TEMPORARY SIGNAGE

D-1 PRIVATE PROPERTY

The signs authorized by this section are in addition to the maximum allowable signage which is otherwise allowed for signage on a site or residential lot.

Height: Maximum height for freestanding temporary signs is 5 feet.

Number of signs: Unless otherwise stated, the maximum number of separate temporary signs is 4 for commercial, institutional or industrial uses, and 2 for residential, agricultural or open space uses.

Location: Signs shall not be located on public property. Signs in the corner clear zone shall not exceed 30 inches in height and shall not create a traffic sight obstruction hazard. Temporary signs shall not be posted

on any tree, bush or other vegetation.

No offsite commercial messages: Temporary signage may not be used to display offsite commercial messages, or to be used for general advertising for hire.

D.1.a TIME PERIOD.

D.1.a(1) Commercial, Institutional or Industrial Uses.

Temporary commercial message signs may be displayed for up to three (3) separate periods per calendar year of from one (1) to fifteen (15) days each period, per use. For building complexes, the combined number of temporary sign display periods shall not exceed five (5) per calendar year. Temporary sign display time periods may be combined consecutively on a site to allow for a total of up to 45 consecutive days of temporary sign display (up to 75 consecutive days for building complexes).

D.1.a(2) Residential, Agricultural, Open Space, or Institutional Uses.

Temporary commercial message signs may be displayed for up to three (3) separate periods per calendar year from one (1) to fifteen (15) days each period, per each lot. Temporary sign display time periods may be combined consecutively on a lot to allow for a total of up to 45 consecutive days of temporary sign display.

D.1.a(3) All Uses - Temporary Signs Displaying Protected Noncommercial Speech.

Temporary signage used to display protected noncommercial speech is allowed at all times, however the sum of commercial and noncommercial speech temporary sign display area(s) at any given point shall not exceed the maximum area permitted. During the election period, temporary noncommercial display area allowances may be increased to permit an unlimited number of signs. Sign area is limited to 16 square feet per sign for commercial and industrial uses, and 6 square feet per sign for residential, institutional, agricultural, or open space uses.

Up to thirty days prior, and ten days after any local, state, regional, or national official election temporary signage is allowed in addition to and without limitation of 3303 D.1.a. (1) and (2) and 3303.D.1.c (1) and (2). Sign area is limited to 16 square feet per sign for commercial and industrial uses, and 6 square feet per sign for residential, institutional, agricultural, or open space uses. The number of signs during this

~~time period is not limited. Such signage may carry any form of non-commercial signage, consistent with this Article.~~

**D.1.b** EXCEEDING TIME ALLOWANCE. If the duration of temporary sign display of commercial messages exceeds the applicable maximum time period for temporary signs, then allowed in (1) above, the sign shall be deemed permanent and the area thereof is not considered a temporary sign. Such signage shall be counted against the allowable area for permanent signage for the site or lot. A sign installation permit must be obtained or the sign must be removed.

**D.1.e** SIGN AREA.

**D.1.e(1)** Commercial, Institutional or Industrial Uses. The maximum allowable temporary sign area for a site, per time period, is the same as the allowable wall sign area. For the purposes of temporary sign area computation, the area of pennants, flags, streamers, whirligigs, and similar attention-getting devices not displaying written messages shall not be included.

**D.1.e(2)** Residential, Agricultural, Open Space or Institutional Uses. The maximum allowable temporary sign area is six (6) square feet.

~~**3303.D.1.d** ALLOWANCE ABOVE PERMANENT SIGNAGE MAXIMUM. The area of temporary signage allowed herein is in addition to the maximum allowable sign area for permanent signage on a site or residential lot.~~

~~**D.1.e** HEIGHT. Maximum height for freestanding temporary signs is 5 feet.~~

~~**D.1.f** NUMBER OF SIGNS. Unless otherwise stated in 3303.D.1.a(3), the maximum number of separate temporary signs is 4 for commercial or industrial uses, and 2 for residential, agricultural, open space, or institutional uses, provided that the combined area of all signs may not exceed the maximum allowed in "e" herein.~~

~~**D.1.g** SETBACK. Signs shall not be located on public property. Signs in the corner clear zone shall not exceed 30 inches in height and shall not create a traffic sight obstruction or other traffic or~~

~~pedestrian hazard.~~

**D.1.h** OWNER PERMISSION. Permission of the owner of the premises on which the signage is located is required.

**D.1.i** ~~ON-SITE PLACEMENT Temporary commercial signage, consistent with other provisions in this article, shall only be located on the site of the business or entity to which it relates, if of a commercial nature.~~

**D.1.j** ~~POSTING ON VEGETATION. No temporary sign shall be posted on any tree, bush or other vegetation.~~

**D.1.k** BALLOONS, INFLATABLE SIGNS OR INFLATABLE ATTENTION GETTING DEVICES. In addition to the temporary signage permitted above, balloons or inflatable signs or devices shall be permitted subject to the following restrictions for ~~commercial~~ usage:

**3303.D.1.k(1)** Such devices shall be allowed one time in the life of an establishment at a given location ~~business~~ for a period of not more than 15 calendar days. Only one balloon or inflatable sign/device is permitted per establishment ~~business~~.

**3303.D.1.k(2)** All requirements of the "Balloons and Inflatable Signs or Attention Getting Device Guidelines" shall be met.

**3303.D.1.k(3)** Prior to use, all inflatable signs shall obtain a permit from the City Planner ~~Planning Director~~ and Enforcement Officer. Permit requirements include submittal, review and approval of an application and payment of required fees. An application fee of \$100 and a deposit of \$400 are required for each application. Applications that satisfy all applicable laws, rules, regulations, policies and guidelines shall be approved.

**3303.D.1.1** COST RECOVERY. Whenever the City ~~Enforcement Officer~~ causes the removal of a temporary sign, for violation of applicable laws, rules etc., the cost incurred by the City in removing such sign shall constitute a debt owed to the City by the responsible party. The City Manager or designee is authorized to take such action as may

be deemed necessary, including the commencement of a civil action in a court of competent jurisdiction, to recover any such costs.

~~3303.D.2 PRIVATE PLACEMENT ON RIGHT-OF-WAY~~

~~3303.D.2.a TIME PERIOD.~~ Temporary noncommercial signs may be displayed up to thirty days prior and five days after any official local, state, regional, or national authorized election. Such signage may carry any form of noncommercial message, consistent with this Article.

~~3303.D.2.b SIGN AREA.~~ The maximum allowable sign area is 6 square feet per sign.

~~3303.D.2.c HEIGHT.~~ Maximum height of freestanding signs is 5 feet.

~~3303.D.2.d POSTING ON STRUCTURES.~~ All signage within the public right-of-way shall be self-supporting and freestanding. No temporary sign shall be posted on any streetlight, utility pole, post, pole, or structure supporting a traffic-control sign or signal, fire hydrant, or similar structures in the public right-of-way.

~~3303.D.2.e SAFETY OF PLACEMENT.~~ Temporary signs posted in the public right-of-way shall meet the following criteria:

~~3303.D.2.e(1)~~ When located in the Corner Clear Zone, the sign shall not exceed 30 inches in height.

~~3303.D.2.e(2)~~ Signs shall not obstruct a motorist's view of pedestrian or vehicular traffic, traffic-control signs, or signals, or otherwise represent a hazard to vehicular or pedestrian traffic.

~~3303.D.2.e(3)~~ Signs shall not impede a pedestrian's free use of the sidewalk.

~~3303.D.2.e(4)~~ Signs shall be securely affixed to the property on which they are placed.

~~3303.D.2.e(5)~~ Signs shall not be placed in the center of public roadway medians.

~~3303.D.2.f APPLICATION REQUIREMENTS.~~ Prior to

~~posting any temporary sign on the right of way, the private party responsible for the posting and maintenance of such signs, hereinafter referred to as "responsible party," shall provide the following information to the Enforcement Officer:~~

~~**3303.D.2.f(1)** Application. An application shall be filed with the Building Department by the "responsible party". This application shall be in a form and content as required by the Enforcement Officer. This application shall minimally include the following information:~~

~~**3303.D.2.f(1)(a)** Identification Information. A description of the signs sufficient to allow the Enforcement Officer to identify the responsible party for the purposes of enforcement.~~

~~**3303.D.2.f(1)(b)** Name, address, and telephone number of the responsible party.~~

~~**3303.D.2.f(1)(c)** The erection and removal dates for the signs.~~

~~**3303.D.2.f(2)** Deposit A \$250 deposit per application is required. The deposit is refundable. Costs of enforcement, if required, may be deducted from the deposit prior to refund.~~

~~**3303.D.2.f(3)** No permit nor deposit is required for the posting of temporary signs on public property by the City of Oceanside.~~

~~**3303.D.2.g** SIGN REMOVAL Temporary signs shall be removed from the public right of way not later than the removal date indicated in the application.~~

~~**3303.D.2.h** COST RECOVERY. Whenever the Enforcement Officer causes the removal of a temporary sign, the cost incurred by the City in removing such sign shall constitute a debt owed to the City by the responsible party. The City Manager is authorized to take such action as may be deemed necessary, including the commencement of a civil action in a court of competent jurisdiction, to recover any such costs.~~

## ~~**3303.E. PUBLIC PROPERTY**~~

### ~~**3303.E.1 PRIVATE PLACEMENT**~~

~~Due to the effects of weather elements, traffic distractions, visible blight and aesthetic concerns, the public may place only the following signs on public property:~~

~~3303.E.1.a Kiosk signs are subject to the restrictions below.~~

~~3303.E.1.b Temporary, non-commercial signs, subject to the restrictions under "temporary" signs within this Article.~~

### ~~3303.E.2 PICKET SIGNS~~

~~The personal carrying of signs or "picketing" is allowed on public property, except in the roadway due to traffic safety concerns, so long as it is done in such a manner not to interfere with the public's ingress or egress or free use of sidewalks or public right-of-way.~~

### ~~3303.E.3 GOVERNMENT SIGNAGE~~

~~Just as commercial, non-commercial and residential owners are allowed the right to provide signage on their property related to their need for expression, so too is the government allowed the right to signage on its (public) property with the following standards:~~

~~3303.E.3.a GOVERNMENT OWNED SIGNAGE. Permanent signage owned in full or in part by the government related to the conduct of governmental business shall not exceed that allowed for commercial or industrial uses.~~

~~3303.E.3.b KIOSK PROGRAM. This Section provides for directional signage within the public right-of-way within an approved kiosk under the City's Kiosk program. It is intended to permit government owned off-site directional signs necessary to serve the community for purposes of order, direction and safety. In order to avoid adverse effects on the aesthetics of the City, to minimize traffic safety issues and to prevent a proliferation of such signs, regulations for the location, standards, number of such signs, and their approval and removal are included in this Section.~~

~~3303.E.3.b(1) Sign Standards and Structural Requirements. All kiosk displays shall substantially comply with the sign design standards, program guidelines, and structural requirements. The Enforcement Officer shall~~

~~review all such displays to ensure their compliance with these standards and requirements.~~

~~**3303.E.3.b(2) Kiosk Program for Commercial and Non-Commercial Signs.**~~

~~**3303.E.3.b(2)(a)** The Building Director or its agent shall establish kiosk displays and approve the location and construction of such displays in various strategic locations throughout the City. Such design and location discretion shall only be made with due consideration to aesthetic appearance, cost, readability, traffic and public safety concerns.~~

~~**3303.E.3.b(2)(b)** An applicant may apply for signage to be placed within one or more kiosk displays designated by the Building Director. All applicants shall be subject to the rules, regulations and requirements placed on such signage consistent with the provisions of this Article and the City's kiosk program guidelines.~~

~~**3303.E.3.b(2)(c)** One kiosk design shall be utilized throughout the City and shall be on file in the Building Department. The height and design of all kiosk displays shall be subject to approval of the City in accordance with the kiosk program guidelines.~~

~~**3303.E.3.b(2)(d)** Kiosks shall be in the public right-of-way.~~

~~**3303.E.3.b(2)(e)** Each kiosk shall have "Oceanside" and the City logo displayed in a prominent location on the sign.~~

~~**3303.E.3.b(2)(f)** No more than eight kiosk sign panels for any person or entity is allowed within the City. A kiosk sign display shall not be duplicated on an individual kiosk. A double-sided message display shall be considered one kiosk sign display for the purposes of this Article.~~

~~**3303.E.3.b(2)(g)** There shall be no additions, tag signs, streamers, devices, display boards, or appurtenances added to the sign as originally approved.~~

~~3303.E.3.b(2)(h) Any sign placed contrary to the provisions of this ordinance may be removed by the Enforcement Officer without prior notice. Non-compliance or kiosks improperly maintained shall be subject to the enforcement provisions provided in this Article and/or the Oceanside City Code.~~

~~3303.F~~ SIGNS WITHIN THE SMALL CRAFT HARBOR AREA

~~In addition to the sign regulations elsewhere in this Article, the following regulations shall also apply in the Oceanside Small Craft Harbor:~~

~~3303.F.1~~ GOVERNMENT SIGNAGE/ SURFACE STREETS APPROACHING THE HARBOR.

~~Surface street approach signs should be of a distinctive character for designation of the Harbor location. These signs shall be visible day and night and located at key points within the public right-of-way of streets leading to the Harbor, with all turns clearly indicated in advance.~~

~~1. FREESTANDING SIGNS~~

~~3303.F.2.~~ POLE OR GROUND SIGNS.

~~3303.F.2.a Major. A major pole or a ground sign shall be allowed at the two major entryways to the Harbor. The sign shall be designed to denote "Oceanside Harbor" with the appropriate directional signage. Signage of uses within the harbor area may be displayed on separate lighted panels. Non-commercial messages may also be displayed.~~

~~3303.F.2.b Minor. Minor pole or ground signs shall be allowed at major intersections within the harbor. These signs shall be a variation of the sign design proposed for the major entryways to the Harbor. The use of a modular replaceable unit or a translucent panel system with internal lighting, and a highly visible typeface, is recommended for these locations. Non-commercial messages may also be displayed.~~

~~3303.F.2.c Typeface. A limited number of typefaces for major and minor pole signs are available for the various panels. Proprietary or specialized typefaces which have been consistently utilized by a "chain" and are compatible (i.e., legibility, scale, color) with the others in the sign, may also be~~

displayed.

~~3303.F.2.d~~ Maximum height of a minor pole or ground sign is 14 feet.

~~3303.F.3~~ SITE SIGNS.

~~Site signs shall display information in a coordination of design in effort to create a more cohesive and pleasing atmosphere. Site signs shall fall within the categories of monument signs, wall signs and incidental signs.~~

~~3303.F.3.a~~ Monument Signs

~~3303.F.3.a(1)~~ Location. Signs shall be located at the outer face of leasehold or near the street front property line or vehicular entrance to leasehold. Signs must be located and oriented to avoid interference with vehicle driver's safe line of sight.

~~3303.F.3.a(2)~~ Maximum Quantity. One (1) per business entity at street frontage or entrance driveway.

~~3303.F.3.a(3)~~ Size. Maximum panel size is six (6) square feet. Maximum height is six (6) feet.

~~3303.F.3.a(4)~~ Materials. Limited to wood or acceptable metals or plastics.

~~3303.F.3.b~~ Wall Signs.

~~3303.F.3.b(1)~~ Location. Signs shall be located on building façade or on site adjacent to entry of building. Wall signs shall not be placed on roofs or windows.

~~3303.F.3.b(2)~~ Maximum Quantity. One (1) per independent business entity on each street frontage and/or water frontage façade.

~~3303.F.3.b(3)~~ Size. Size and quantity must be compatible with scale of structure, but in no case can it exceed 12 square feet of panel size in one elevation (building face) or 24 square feet on all elevations (building face).

~~3303.F.3.b(4)~~ Materials. Limited to wood or acceptable metals or plastics.

~~3303.F.3.c~~ Incidental Signs.

~~3303.F.3.e(1) Location. Signs may be located anywhere within a leased parcel.~~

~~3303.F.3.e(2) Maximum Quantity. Number of signs per leased parcel shall be as needed for directional and informational signage.~~

~~3303.F.3.e(3) Size. Maximum of four (4) square feet for each panel size and a total of 24 square feet for all incidental signage on a lease parcel.~~

~~3303.F.3.e(4) Materials. Limited to wood or acceptable metals or plastics.~~

~~3303.F.4 GENERAL DESIGN STANDARDS FOR ALL SITE SIGNS.~~

~~All site signs shall conform to the following design standards:~~

~~3303.F.4.a Extensive use of wood in both sign panel and support structure is desired.~~

~~3303.F.4.b A maximum of two typefaces acceptable to the Harbor District shall be used on all signs within a lease parcel.~~

~~3303.F.4.c Display light sources should be screened from autos, boats and pedestrians. No internal lighting is permitted.~~

~~3303.F.4.d Temporary display banners and flags require approval by the Harbor Director as to size and location.~~

~~3303.F.4.e Boat sale displays should have consistent sign sizes and typography within a single parcel, and "false sail" signs in sailboat rigging should be in conformance with these regulations. (See Boat Sign Ordinance 72-5.)~~

~~3303.F.4.f No more than 20 percent of the total window area for any one side shall be used for permanent or temporary sign display.~~

~~3303.F.4.g Temporary signs affixed to trailers or boat cradles are discouraged.~~

~~3303.F.4.h Where multiple uses are located within the same parcel, signs should be of similar materials and proportions, consistently located and lighted, and of not more than two typeface styles~~

~~(except for compatible regionally or nationally recognized "chain" logo/type faces").~~

~~3303.F.4.i~~ No lighted sign will be allowed that creates a confusing background for Harbor night entry.

**3303.F.5** APPROVAL REQUIREMENTS.

~~Upon application, all signage shall receive a permit if the signage is in compliance with all provisions of this Article for general signage and Harbor District signage. All signs (except for incidental signs without electricity or temporary signs) must have a permit from the City of Oceanside Building Department prior to installation.~~

**3303.GE. SIGNS WITHIN THE REDEVELOPMENT Downtown "D" District AREA**

In addition to the sign regulations elsewhere in this Article, regulations stated in this section the following regulations shall also apply in the "D" District Redevelopment Area.: The height, width, depth, colors and design features, including lighting and structural support of all exterior signs each and all signs to be erected outside of buildings or attached to any building shall be subject to these design objectives hereinafter stated in this section. The purpose object of these design objectives of this section is to assure compatibility of each and all signs with the architecture of buildings. All signs shall conform to the City's sign standards and as said City standards may subsequently be further amended. Where conflict exists between City standards and the requirements of these regulations, the more restrictive shall apply.

**3303.G.1** PLANNED COMMERCIAL DEVELOPMENT:

**3303.G.1.a.** MONUMENT SIGNS

Signs may not exceed six feet (6') in height and shall be located in a landscaped area, the minimum size of which shall be no less than the size of the sign, measured on both sides.

**3303.G.1.b.** WALL SIGNS

The maximum area of these wall signs shall not exceed ~~the size requirement of two~~ (2) square feet of sign area for every lineal foot of occupant's primary frontage, but in no case ~~not to exceeding~~ 200 square feet.

**3303.G.1.c. COURTESY INCIDENTAL SIGNS**

Up to two courtesy signs per occupant frontage, attached to the building or projection thereof, within the limits of each occupant's building frontage, is allowed, subject to a sign permit. In addition, signs designed to guide pedestrian or vehicular traffic are allowed, provided that each such sign do not exceed three (3) square feet.

~~Two incidental signs per occupant frontage attached to the building or projection thereof within the limits of each occupant's building frontage shall be permitted. Signs designed to guide pedestrian or vehicular traffic are permitted, provided such signs do not exceed three (3) square feet.~~

**3303.G.2. MULTI-FAMILY RESIDENTIAL AND CONDOMINIUMS:**

One monument project entrance sign may be installed if the project has access onto one (1) dedicated public street. Two (2) project entrance signs may be permitted when the project has access onto two (2) or more dedicated streets. Monument signs may not exceed six feet (6') in height and shall be located in a landscaped area, the minimum size of which shall be no less than the size of the sign, measured on both sides.

**3303.G.3. SINGLE COMMERCIAL BUILDING:**

One wall sign per occupant frontage attached to the building or projection thereof and within the limits of each occupant's building frontage (exposed sides of buildings) shall be permitted to a maximum of two (2) signs per occupant. Size shall be limited to two (2) square feet of sign area for every lineal foot of occupant's primary frontage, not to exceed 200 square feet of cumulative sign area. In addition, one monument sign may be allowed pursuant to item 1.a. above.

**3303.G.4. SIGN LIMITATIONS:** Pole signs are prohibited in the "D" District. Redevelopment Area shall not be permitted.

**3303.G.5. ADDITIONAL REGULATIONS AND CONTROLS:**

All redevelopers and owner-participants shall be required to include a sign provision in any and all leases with tenants requiring such lessees to conform to the established sign design and policy within the Project Area "D" District in order to ensure a

reasonable degree of uniformity and continuity of sign design, scale, proportion, size and placement.

**3303.HF.** SIGNS WITHIN A HISTORIC DISTRICT

In addition to the regulations elsewhere in this Article, the following regulations shall also apply in the Historic District:

**3303.H.1.** SIGN PURPOSE AND CONSISTENCY.

**3303.H.1.a.** Historic District Signs shall ~~be architecturally attractive and~~ contribute to the retention or restoration of the historic character of the area. Such signs ~~should~~ may not compete with one another in terms of visibility, or dominate the setting via inconsistent height, size, shape, number, color, lighting or movement.

~~**3303.H.1.b** An effective signing and graphics system functions not as a separate entity but as an integral part of the built environment. Carefully planned signs communicate essential information, while also ordering and enhancing the architectural environment.~~

~~**3303.H.1.Cb.** Consistency. The following sign regulations Design criteria are needed to encourage and coordinate well designed signage. The following sign regulations are also intended to assure Historic District establishments the merchant that all other establishments are similarly regulated in the Historic Area. A comprehensive sign package shall be required for all development within the Historic Area. to insure compliance with these guidelines.~~

~~**3303.H.2** DEFINITIONS.~~

~~**3303.H.2.a** Historic Sign. Any sign used to recreate a replica or restore a historic structure related to the Mission San Luis Rey, All Saints Church or Heritage Park. Documentary evidence of such a sign must be presented to Oceanside Historic Preservation Advisory Commission (OHPAC).~~

~~**3303.H.2.b** Historic Marker. Signs or markers approved by the City, State or Federal Government to be located on historic sites, points, or structures, or describe directions to such from prominent visible locations within the public right of ways.~~

**3303.H.32. STRUCTURAL AND DIMENSIONAL RULES SIGN TYPES RESTRICTIONS.**

**3303.H.3.a.** A freestanding sign shall not exceed 12 feet in height.

**3303.H.3.b.** A wall sign may not exceeding four (4) feet in height and must be securely affixed to a wall and projecting no more than 6 inches from a ~~parallel to~~ the face of ~~such of~~ the wall. A wall sign shall not project beyond the edge of the building face nor above the highest line of the building to which it is attached. The length of the sign may be up to 80% of the building frontage, and shall not exceed 20% of the building frontage wall area.

**3303.H.3.c.** Window signs painted or permanently affixed on an interior translucent surface, including windows and doors, shall not exceed 20% of the area visible from any one point of the building. Exterior window signs are prohibited.

**3303.H.3.d.** A monument sign shall not exceed six feet in height (except Entry Monuments which may be twelve feet) and supported by a base not exceeding 25% of sign area.

**3303.H.43. DESIGN STANDARDS.**

**3303.H.4.a** Review: All applications for Historic District signs shall be reviewed by Oceanside Historic Preservation Advisory Commission (OHPAC) and shall be only approved only when ~~such signs~~ they conform to the sign controls herein as to characteristics and designs. However, such review shall not consider the message content of the proposed signs.

All requests for signs in excess of sixteen (16) square feet shall be accompanied by documentary evidence that signs of such size and advertising existed in the area during the early years that the mission was in operation. Signs must conform in size, shape, design, material, coloring, lighting and location to the period before the Civil War, unless associated with Heritage Park which is not subject to this criteria.

**3303.H.4.b** Sign Review Information: Application for

a sign permit shall be accompanied by sketches and drawings to scale ~~an dimensions~~ showing details of construction, and shall delineate the size, shape, design, material, coloring, lettering, lighting and position in relationship to the building form or place where it will be displayed. Scaled sketches of existing signs on the premises, including signs for which valid permits exist, whether or not such signs are in existence, shall accompany the application.

**3303.H.4.e**      **Colors:** Colors shall be consistent with the period of the building or site. No luminous paints or plastics shall be permitted.

**3303.H.4.d**      **Typefaces:** The typeface used on all signs shall be consistent with the mission period. Acceptable type styles include the following (unless associated with Heritage Park or Ivey Ranch Park which are not subject to these type styles): Libra, Goudy, Medieval, Solemnis, Garamond, Friar, Alternate Gothic, American Uncial.

**3303.H.4.e**      **Illumination:** Signs may be lighted. However, no light that flashes or blinks or effects changes in hue or intensity of illumination is permitted. **Digital display signs (LCD, CCD, plasma, etc.) is prohibited.** Illumination sources for the sign shall be hidden from view.

**3303.H.4.f**      **Acceptable Sign Materials:** The following materials are acceptable for sign face, supports or standards.

**3303.H.4.f(1)**      Rough sawn wood and/or wrought iron with painted backgrounds and lettering.

**3303.H.4.f(2)**      Smooth wood with painted background and lettering.

**3303.H.4.f(3)**      Wood cutouts, carved out letters, or wrought iron silhouettes on any of the above.

**3303.H.4.f(4)**      Signs directly painted on a building. (This is defined as a wall sign.)

**3303.H.4.f(5)**      Ceramic tiles of letters or symbols inset in adobe or wood.

**3303.H.4.f(6)**      Wood or stucco finished sign posts are **required** recommended.

**3303.H.4.g** Prohibited Sign Materials: The following materials are prohibited for Historic District signs not acceptable:

**3303.H.4.g(1)** Contemporary finishes such as plastics, fiberglass, porcelain enamel, aluminum and stainless steel.

**3303.H.4.g(2)** Sheet metal.

**3303.H.4.g(3)** Bright glossy enamel, fluorescent paint or reflective surfaces.

**3303.H.4.g(4)** Exposed metal supports in extruded, rolled or tubular sections.

**3303.H.5** COMMERCIAL USES.

**3303.H.5.a** Sign Placement: One wall sign is permitted on the face of each establishment.

**3303.H.5.b** Sign Size: A sign on the front or primary face of an establishment shall not exceed one square foot for each linear foot of frontage, up to a maximum of 16 square feet. ~~Signs over 16 square feet are discouraged.~~

**3303.H.5.d** Signs on the side or rear wall of an establishment shall not exceed one-half square foot for each linear foot of street or dedicated walkway frontage along those walls, ~~Signs exceeding up to a maximum of 12 square feet are discouraged.~~

**3303.H.5.e** On perpendicular (30 degree or greater) projecting sign not to exceed six (6) square feet will be permitted on the front of or primary face of each establishment, ~~provided that the sign is designed as a graphic representation of the establishment's goods or services, such as a beet advertising a shoe store.~~

**3303.H.5.e** Freestanding Signs: No freestanding or roof top canopy signs shall be permitted, unless the establishments are located within an arcade, court or similar structure that is not on a public right-of-way. In such ~~f~~ ~~this is the case,~~ they establishments so located may collectively place a single freestanding sign at the entrance of said arcade or court. ~~to identify the establishments within.~~ Maximum height of such sign shall not exceed four feet above average adjacent grade. Each

establishment shall have a maximum of 1.5 square feet for display of their message or image identification.

~~3303.H.5.f~~ Signs offering information on incidental services or recommendations, e.g. AAA, Visa, Carte Blanche, etc. shall not be visible from the public right-of-way.

~~3303.H.5.f(1)~~ Incidental signs are permitted on the faces of the buildings or structures provided that such signs shall not be placed higher than eight (8) feet above the immediately adjacent ground level or above the eave line whichever is the lesser.

Courtesy Signs: Courtesy signs are permitted on the faces of buildings or structures, provided that are not placed higher than 8 feet above the immediately adjacent ground level or above the eave line, whichever is the lesser.

~~3303.H.5.f(2)~~ Directional Signs: Multi-user directional signs may be ~~are permitted to be located~~ on a separate freestanding pole structure provided that the structure and/or sign affixed to same does not exceed six feet in height.

~~3303.H.5.f(3)~~ Single use directional signs shall be no more than three feet high and ~~three square feet.~~ The signs shall be permanently placed on-site.

~~3303.H.5.g~~ Maximum size for a single sign or panel shall be that which is necessary to convey the necessary information, not to exceed a maximum of is four (4) square feet; maximum number per establishment is four.

~~3303.H.5.h~~ Total number of signs to be used for this purpose shall not exceed four (4) per establishment and shall be combined when possible.

~~3303.H.5.i~~ Address Signs/ Name Plates: Name plates and address identifiers shall not exceed one square foot in area; maximum one per establishment or residence. Residence and establishment name signs, occupants name plates and address numbers are those signs which, by their nature and wording, or lettering identify and locate either the house, establishment, or its occupant, or both. Such signs

~~may include pictorial and decorative designs, as well as words and numbers, and may be in any shape or form, but shall not exceed one (1) square foot in area.~~

**3303.H.5.j** Location Markers: Location markers are permitted as ground signs which illustrate the historic core layout and list and locate the establishments therein. The sign shall not exceed four feet in height or width. They shall have a terra cotta red background with white letters or graphics. The location and number of these markers shall be determined by OHPAC.

~~Service signs shall only provide general public information to direct the way to such public places or facilities as information centers, historic places or structures, food, restrooms, telephones, emergency stations, plazas, village commercial area, etc. Service signs shall be permitted as wall or ground signs and shall be limited in number and location. These signs may be combined and consist of a minimum of one panel and a maximum of four panels. The maximum height of a sign structure with panels shall be eight feet, with a maximum width of four feet. These signs shall have a terra cotta red background with white letters.~~

**3303.H.6** ~~HISTORIC CORE ENTRANCE MARKERS.~~

~~They shall be provided at significant historic core boundary points such as special intersections. These signs shall not exceed three feet in width or height. They shall have a terra cotta red background with white letters of American Uncial style.~~

**3303.H.6.a** ~~Street signs shall convey the name of the street only, and comply with the guidelines herein. Standards or poles shall convey the unique historic character of the area.~~

**3303.H.6.b** ~~Traffic safety signs shall be subject to the standards of City, State and Federal highways and shall be approved by OHPAC. Traffic sign standards shall be designed to convey the unique character of the historic area. They shall be inset in stucco finished materials.~~

**3303.H.7** ~~DESIGN STANDARDS~~

**3303.H.7.a** ~~All requests for signs in excess of sixteen (16) square feet shall be accompanied by documentary evidence that signs of such size and advertising existed in the area during the early~~

~~years that the mission was in operation. Signs must conform in size, shape, design, material, coloring, lighting and location to the period before the Civil War, unless associated with Heritage Park which is not subject to this criteria.~~

~~3303.H.7.b Historic markers are subject to review and approval of locations and number by OHPAC.~~

**3303.I NON-COMMERCIAL SIGNAGE**

~~In each instance and under the same conditions as this chapter permits any sign, a sign containing an ideological, political or other non-commercial message and constructed to the same physical dimensions and characteristics shall be permitted.~~

**33054 PROHIBITED SIGNS**

~~Prohibited signs shall include, but are not limited to, tThe following signs are prohibited:~~

**3304.A.** Animated Signs.

**3304.B.** ~~Obscene signs.~~ **New billboards and conversion of existing billboards to digital or electronic display.**

**3304.C.** Signs that physically obstruct or pose obstruction to vehicular or pedestrian travel.

**3304.D.** Roof signs.

**3304.E.** Abandoned signs.

**3304.F.** Signs **that mislead or confuse drivers** Misleading Traffic.

**3304.G.** Illegal signs.

**3304.H** ~~Offsite Commercial Signage (except kiosk program).~~

**3304.I H.** Signs displayed without Permission of Owner or Lessee.

**3304.J I.** **Signs that are h**~~Hazardous~~ **or unsafe signs by virtue of their physical condition.**

**J.** **Signs that flash, blink or use intermittent light, or which emit smoke, fumes, flashes, sparks, or sound;**

**K.** **Commercial mascots**

**L.** **Signs that use reflectors or mirrors**

M. Search lights used for advertising or attention getting

N. Signs that are activated by air, forced air, forced gas, or wind.

O. Signs that interrupt or encroach into the corner clear zone.

P. Private party signs placed on City property without consent, as provided in Article 33B.

Q. Digital display/Electronic Message signs, excepting therefrom signs permitted pursuant to Section 3307, Comprehensive Sign Package. in residential areas, the Mission Historic District and Small Craft Harbor area.

R. Feather banners

**33065** GENERAL SIGN STANDARDS

~~The following sign standards shall apply to all signage within the City.~~

**3305-A. SIGN AREA**

Signage area shall be calculated by using the entire area contained within the frame, cabinet or fixture, including all ornamentation or decoration used to attract attention. In the case of pole signs, that area above the supporting column, provided such supporting column is not decorated or displayed with advertising. The area of signs painted on walls, individual letter signs, trough signs, and other directly illuminated signs, shall be calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. The area of any two or more faced signs or "V" type signs having any interior angle of more than 45 degrees (multi-faced signs) shall be the total area of all faces or panels. If all interior angles are 45 degrees or less, the greatest sized panel or face shall only be counted as the sign area.

**3305-B. HEIGHT**

The height of any sign shall be the measurement from the top of the sign cabinet, including all ornamentation and supports, to the existing grade beneath the sign.

**3305-C. ILLUMINATION**

Sign illumination shall be from interior light source

contained within the sign cabinet. Indirect exterior illumination shall be permitted provided the light source is entirely shielded from view. Such signs shall comply with the following provisions:

**3305.C.1** No sign shall be illuminated by an exposed light source visible from any public street or residential property. Neon tubing shall be allowed on a limited basis, subject to City Planner approval, only if it is made an integral part of the sign design and computed within the sign area, ~~and only with the approval of a Comprehensive Sign Package.~~

**3305.C.2** ~~No sign shall employ strobe lights, or any other light source that pulsates, blinks, or flashes.~~

**3305.C.3** No sign shall employ the use of mirrors or any other highly reflective surfaces so as to direct or reflect any natural or artificial light onto any public right-of-way or adjoining property.

**3305.C.4** Halo or back lighting shall not only be allowed if it is counted as part of toward the total sign area and only with the approval of the Planning Director.

**3305.D SIGN MAKER IDENTIFICATION**

~~All signs must have the sign owner's name, address and telephone number conspicuously and permanently attached on the exterior of the sign.~~

**3305.E PLACEMENT OF SIGNS**

~~Commercial signs, except where specifically allowed elsewhere within this Article, shall be placed on the site of the use which the sign is intended to identify. Signs shall not be placed or overhang on public property nor within the public right-of-way unless provided for elsewhere herein.~~

**3305.FD. SIGN MAINTENANCE**

All signs shall be kept in good repair at all times.

**E. RELOCATION**

A permanent sign may be relocated only pursuant to a new permit. Relocated signs must comply with all rules that apply to the new location.

**3305.GF. FLAGS**

Flags are considered signage if not meeting the definition of "flag" in Section 33023.

**33076 PROCEDURES FOR ~~OF~~ SIGN APPROVAL**

All sign permit applications shall be consistent with the provisions of this Article and/or with an approved Comprehensive Sign Package. A Sign Installation Permit can be issued upon the completion of the steps in Section B below.

**3306.A TYPES OF SIGN PERMITS**

All signs that are not expressly exempted from the sign permit requirements may be installed, erected, or displayed only pursuant to a sign permit. There are two types of sign permits: Sign Installation Permits and Comprehensive Sign Packages.

**3306.A.1. SIGNS EXEMPT FROM SIGN PERMIT REQUIREMENTS SIGN INSTALLATION PERMIT.**

An exemption from Sign Installation Permit shall not be deemed to grant authorization for the installation of any sign not in compliance with all requirements of this Article, not any provisions of the codes of the City of Oceanside. All signs that have an electrical system shall require an electrical permit issued by the Building Official. The following sign types are exempt from the sign permit requirement, but are still subject to all other applicable laws, rules, regulations, policies and approvals.

~~All signs consistent with this Article and/or with an approved Comprehensive Sign Package may file directly with the Building Department for a Sign Installation Permit. All signs require a Sign Installation Permit except as listed below:~~

**3306.A.1.a.** Temporary Signs in compliance with Section 33043.D of this Article.

**3306.A.1.b.** Window Signs in compliance with Section 33043.A.56 of this Article.

**3306.A.1.c.** A-Frame and other portable signs in compliance with Section 33043.A.71.~~h~~ of this Article.

**3306.A.1.d.** Signage on ~~single family~~ residential property in compliance with Section 33043.B.1 of this Article.

**3306.A.1.e** ~~Signage less than 6 square feet on multi-family residential property in compliance with Section 3303.B.2 of this Article.~~

**3306.A.1.fe. Courtesy** Incidental Signs in compliance with this Article.

~~An exception from Sign Installation Permit requirements shall not be deemed to grant authorization for the installation of any sign not in compliance with all requirements of this Article, nor any provisions of the codes of the City of Oceanside. All signs that have an electrical system shall require a permit issued by the Building Director.~~

**Application for a Sign Installation Permit may be filed with the Development Services Department or Economic and Community Development Department. The Building Official is authorized to issue a Sign Installation Permit upon receipt of documentation of approval from the City Planner or the Economic and Community Development Director that said application complies with the provisions of this Article and all other applicable laws, rules, regulations and policies, including all applicable health and safety codes.**

**3306.A.2. COMPREHENSIVE SIGN PACKAGE**

~~Digital display (electronic message) sign proposals on private property and buildings or building complexes containing three or more uses or separately leasable spaces, shall be required to submit a Comprehensive Sign Package prior to the issuance of the digital display (electronic message) sign or first sign permit for the building complex. Such sign package shall be in conformance with the provisions of this Article, and shall be designed and constructed to meet all applicable codes. The sign package shall contain provisions that establish uniform color, size, location, types of signs, and lighting requirements and other requirements in order for safety and aesthetics to be considered.~~

**Notwithstanding any of the foregoing requirements applicable to buildings or complexes containing three or more uses or separately leasable spaces, any use on a commercial zoned district located on a site greater than 3 acres may submit for consideration by the Planning Commission a Comprehensive Sign Package in order to: a) facilitate high quality innovative design through technologically advanced sign solutions and b) eliminate blight and improve aesthetics through a net reduction of legally permitted on-site signage. Digital display signs may be considered as part of such Comprehensive Sign Package subject to the following:**

- Minimum site area: 3 acres comprised of either a single parcel or the aggregate of multiple contiguous parcels, under single or multiple ownerships.
- Site location: Within 150 ft. (max) from I-5, SR76 or SR78.
- Sign standards: Development standards shall be as set forth in Article 33A, or as modified by the Planning Commission at the time of Comprehensive Sign Package program approval. Any deviations to applicable sign regulations must enhance the character of the development by addressing sign location, number, area, height, illumination and sign separation from less intense uses.
- Number of signs: One wall or freestanding digital display sign. (This sign shall be in lieu of an otherwise allowed freestanding sign)
- Hours of operation: 6:30a.m.-11:30p.m.
- Separation from residential uses: 500ft. (min)
- Light intensity: No changes in light intensity (other than between day and night) shall be permitted.
- Message dwell time: 8 seconds (min)
- Message transition time: Instant message transition or a fading transition of no more than 1 second. At no time shall a digital display go blank during a transition.
- Brightness control: A sensor or other device shall automatically adjust the brightness of the digital display based on ambient lighting changes, in compliance with applicable State and local lighting standards.

Digital signs are prohibited within the Mission Historic District.

3306. B. APPROVING AUTHORITY. The following persons, departments, advisory or legislative bodies are entitled to approve or deny sign requests as follows:

3306.B-1. SIGN INSTALLATION PERMIT. The Building Official ~~Director~~ is authorized to issue a Sign Installation Permit upon receipt of documentation of approval from the City Planner ~~Planning Director~~ or the Economic and Community Development ~~Redevelopment~~ Director that said Sign Installation Permit Application complies with the provisions of this Article, and upon further documentation that the proposed sign

installation complies with all applicable health and safety codes.

**3306.B.2.** COMPREHENSIVE SIGN PACKAGE. Unless otherwise indicated, the City Planner Planning Director or the Economic and Community Development Redevelopment Director shall consider and either approve or deny Comprehensive Sign Packages according to the provisions of this Article. The decision of the City Planner Planning Director or the Economic and Community Development Redevelopment Director is appealable to the Planning Commission, Community Development Commission, Harbor Board or City Council.

The City Planner or Economic and Community Development Director may refer Comprehensive Sign Packages to the Planning Commission or Community Development Commission respectively if he/she finds that the proposal may conflict with the purposes and criteria set forth in this Article.

**3306.C.** PUBLIC HEARING PROCESS

Any application to consider an appeal of a Comprehensive Sign Package shall be heard by the Planning Commission at a public hearing in accordance with the provisions of Article 46 of the Zoning Ordinance. A completed application form with the appropriate filing fees shall be filed with the Planning Development Services Department or Community and Economic Development Redevelopment Department. A decision by the Planning Commission is appealable to the City Council or Harbor Board pursuant to the provisions of Article 46 of the Zoning Ordinance, except the decisions of the Community Development Commission are final when acting as the Planning Commission.

**3306.D.** ISSUANCE OR DENIAL

Regardless of sign permit type, the reviewing authority shall, within forty-five (45) days of the filing of a complete permit application shall approve and issue the permit if the standards and requirements of this Article and all other applicable laws, rules, regulations and policies have been met, unless the time is mutually extended by the parties. If the requirements of the permit have not been met, the application will be denied in writing stating all reasons for denial. Such denial is also subject to the 45 day limit.

~~The Planning Director, or whomever is charged with permitting a particular signage, shall, within forty five (45) days of the filing of a complete permit application, approve and issue the permit if the standards and~~

~~requirements of this Article have been met, unless the time is mutually extended by the parties. Otherwise, the permit shall be denied.~~

~~Judicial review of a decision denying the permit shall be made by a petition for a writ of administrative mandamus filed in Northern San Diego County Superior Court, pursuant to the California Code of Civil procedure, or as otherwise authorized by law. If prompt judicial review of the decision denying the application is desired by the applicant, the applicant shall also file an application for a preemptory writ in the first instance, which shall be heard and decided within sixty (60) days from the date of the filing and service of the application.~~

**E. DIGITAL DISPLAY (ELECTRONIC MESSAGE) COMPREHENSIVE SIGN PACKAGE FINDINGS**

**Pursuant to Section 3307A.2, the Planning Commission, City Planner or Economic and Community Development Director, as the case may be, may approve a Comprehensive Sign Package for a digital display (electronic message) sign, if on the basis of the application, plans, materials, and testimony submitted, finds:**

**1. The proposed sign(s) conforms with the criteria set forth in this Article.**

**2. The proposed sign(s) is/are compatible with other signs on the site and in the vicinity;**

**3. The proposed sign(s) will not adversely impact traffic circulation in adjacent right-of-way or create a hazard to vehicular or pedestrian traffic; and**

**4. The proposed sign(s) will not have an adverse visual impact on adjoining land uses commercial and/or residential areas.**

**33087** NON-CONFORMING SIGNS

**3307.A. INTENT**

It is the intent of this Section to encourage and promote compliance of existing signs with the provisions of this Article and the eventual elimination of non-conforming signs. The achievement of full compliance of all signs with the provisions of this Article is as important as is the prohibition of new signs that would violate these regulations. If the sign is one defined by the Outdoor Advertising Act, section 5499.1, it shall be abated following notice and hearing procedures required by Section 5499.1 et seq. of the Business and Professions Code.

**3307-B. LEGAL NON-CONFORMING SIGNS**

Every on-site sign becoming non-conforming as a result of this Article shall not be required to be removed, except as provided for in California Business & Professions Code sections 5492, 5493, 5495, and 5497.

An existing sign which was constructed in accordance with the ordinances and other applicable laws in effect on the date of construction and has a current and valid sign permit but becomes non-conforming by adoption of this Article or other regulation will be allowed within the amortization period unless any of the following occurs:

**3307-B-1.** The sign structure is altered which makes the sign less in compliance with the requirement of this code than it was before the alteration; or

**3307-B-2.** The sign structure is relocated to a different location on the site or lot, making it less in compliance with the requirement of this code.

**3307-B-3.** The sign or sign structure is replaced (excluding change of copy). On the happening of any one of 1, 2 or 3 above, the sign shall be immediately brought into compliance with this code with a new permit secured, or shall be removed within 48 hours.

**3307-C. SIGN REMOVAL**

Every legal off-site sign becoming non-conforming as a result of this ordinance may be removed in accordance with the provisions of California Business & Professions Code sections 5412, 5412.1, 5412.2, and 5412.3. All illegal signs listed below shall be forthwith removed by the owner or by the City with 48 hours notice to the owner.

**3307-C-1.** A sign which was legal but nonconforming that becomes illegal and nonconforming by the occurrence of B1, B2, or B3 above.

**3307-C-2.** Any illegal sign.

**3307-C-3.** A non-conforming sign which has exceeded its authorized amortization period.

**3307-C-4.** An abandoned sign.

**3307-C-5.** A display existing without permission of owner or lessee.

**3307-D. AMORTIZATION PERIOD**

All legal non-conforming signs shall have a useful life

and legal life of fifteen years, calculated from the date of adoption of the regulation making it nonconforming or upon the date of a court order deeming the regulation unconstitutional. Upon expiration of the sign amortization period, the sign shall be removed by the owner without compensation. Upon determination that a sign is nonconforming, the Enforcement Officer will issue written notice to the owner or user of the sign or to the owner of the property on which the nonconforming sign is located, requiring conformance or removal therefor if unable to conform. If, after a reasonably diligent attempt to serve written notice, the owner and user have not received notice, then the City must either post the notice or publish the notice in a local newspaper which is customarily used for notice by the City. If the sign remains thereafter, the City may proceed with abatement procedures or other legal methods, with such costs of removal by the City to be charged against the owner. Nothing in this Article shall preclude any owner or user from voluntarily conforming a nonconforming sign at any time prior to the expiration of the amortization period.

**~~3307.E~~ EMINENT DOMAIN**

~~Any signage that becomes subject to eminent domain proceedings shall be considered eligible for relocation assistance only, as provided in Section 72620 et seq. of the Government Code.~~

**3309B ENFORCEMENT**

Any violations of this Article shall be subject to the enforcement remedies and penalties provided by this Article, the Oceanside Zoning Ordinance, the Oceanside City Code and by State and Ffederal law. Each sign and each day is subject to separate misdemeanor violations when applying penalties. It shall be a misdemeanor to install, erect, fail to remove, or maintain any sign without a permit if a permit is required by this Article. It shall also be a violation to install, erect, fail to remove, or maintain any sign in violation of this Article. Enforcement may be pursued by criminal penalties of up to 6 months in jail and or a fine of up to \$1,000, nuisance abatement, injunction, or other remedies available by law. All such penalties may be cumulative.

**~~3309.A~~ CRIMINAL ENFORCEMENT**

It is illegal to install, mount, display, use, occupy or maintain signs in violation of this Article. Any violation or failure to comply with the provisions of this Article constitutes a misdemeanor, a separate violation for each day each sign is in violation. ~~shall render a person guilty of a misdemeanor each day the violations exist, and any s~~Such person shall be misdemeanor violations may be punished in accordance with

the provisions of Chapter 1 of the Code of the City of Oceanside or other remedies provided by law.

**3308.B. CIVIL AND ADMINISTRATIVE REMEDIES**  
**Violations of this Article may be remedied by civil and/or administrative procedures, as authorized by City or State law.**

~~In addition to the criminal penalties prescribed in Section 3308.A., other remedies, as prescribed in Oceanside Code Section 17.14 may be imposed for violations of this Article.~~

**3308.C. ABATEMENT**

**3308.C.1. NUISANCE ABATEMENT.**

Signs not in compliance with this Article **are hereby** ~~may be~~ declared to be a public nuisance, ~~and which may~~ be abated in accordance with the requirements of Oceanside City Code Chapter 17, Article I, **or by methods authorized by State law.**

**3308.C.2. SUMMARY ABATEMENT.**

Signs located in the public right-of-way which are not in compliance with this Article may be declared to be a public nuisance subject to summary abatement by the Enforcement Officer. In addition to any criminal or civil penalties prescribed by law, the actual costs of abatement of such signs shall become a debt owed to the City by the person responsible for or causing placement of the sign. Said debt shall be subject to cost recovery ~~in~~.

**3308.C.3. SIGN MAINTENANCE.**

~~All signs shall be kept in good repair at all times or shall be subject to the following:~~

~~3308.C.3.a If the sign is not under repair or repaired within 30 days after notification period has elapsed, the owner and/or user of the sign will be guilty of an infraction, and the enforcement officer will issue a citation.~~ **Maintenance of a sign in violation of this Article is an infraction. If notice of violation is given, and there is no cure of the violation within 30 calendar days, the Enforcement Officer may issue a citation.** Fines assessed will be in accordance with the Oceanside Municipal Code.

**3308.C.3.b** If **a violative** the sign is not repaired within 30 days of the first violation, a second violation will be issued to the owner and/or user of the sign and will continue to be assessed each day

thereafter until the sign is repaired.

**3308.C.4.** HAZARDOUS OR UNSAFE SIGNS.

The Enforcement Officer, upon identification of a hazardous or unsafe sign, shall give written notice to the property owner and/or party responsible for the sign of the condition or conditions which render the sign hazardous or unsafe, and an order to abate the public nuisance caused by the existence of the hazardous or unsafe sign. The Enforcement Officer will determine an appropriate time period for remedy. ~~abatement of the public nuisance based on the degree of hazard.~~ At the expiration of the time remedy period, if the hazard has not been voluntarily abated, the Enforcement Officer shall proceed to abate the nuisance in accordance with the procedures contained in Oceanside City Code Chapter 17, Article I. In cases where a sign, by virtue of its physical condition, constitutes an immediate and serious threat to the public safety, the Enforcement Officer may summarily remove, correct, or abate the dangerous condition; in such case, the cost of immediate remedy may be charged to the sign owner or other person responsible for the dangerous condition.

**3308.D.** RIGHT OF ENTRY

When it is necessary to make an inspection to enforce the provisions of this Article, or when the Enforcement Officer has reasonable cause to believe that there exists any sign or a condition which makes such sign unsafe, abandoned, illegal or nonconforming, the Enforcement Officer may petition the Court to enter the lot, building, or premises on which such sign is located at all reasonable times to inspect the sign or to perform any duty imposed by this Article.

**3308.E.** NOTICE

For purposes of this Section, written notification deposited in the U.S. Mail, or personal delivery, or posting, or publication in a local newspaper shall constitute proper notice.

**33109** SEVERABILITY

If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Article 33B Signs

Sections:

- 33011 Title, Capacity and Scope
- 33022 Intent as to Public Forum
- 33013 Definitions
- 33014 General Prohibition
- 33015 Signs Exempt from Permit Requirements
- 33016 Kiosk Program Directional Signage
- 33017 Temporary Inanimate Signs
- 33018 Permanent Private party Signs on City Property
- 30019 Signs within the Small Craft Harbor Area

33011 Title, Capacity and Scope

A. Title. This Article may be referred to as the City Property Sign Ordinance.

B. Capacity. In adopting this Article the City Council acts in its proprietary capacity as to City property.

C. Scope. This Article states City policies and rules for the display of signs on City property.

33012 Intent as to Public Forum

The City declares its intent that all public property shall not function as a designated public forum for sign display, unless some specific portion of public property is designated herein as a public forum of one particular type; in such case the declaration as to public forum type shall apply strictly and only to the specified area and the specified time period.

33013 Definitions

For purposes of interpreting and enforcing this Article, the following words have the special definitions given. For words not defined in this chapter, definitions from Article 33A Signs, Section 3303 may be used.

ADMINISTRATOR

Administrator means the person authorized by the City Council to enforce and interpret this chapter; in the absence of a contrary authorization by the City Council, the Administrator

shall be the City Manager or his/her designee.

**CITY**

City means for purposes of this Article the City of Oceanside, California and any of its associated entities including, but not limited to, the Oceanside Redevelopment Agency.

**CITY PROPERTY**

City property means land or other property in which the City is the owner or has the present right of possession and control, as well as areas which are either designated as public rights-of-way or which have long been used as such.

**PERMIT**

Permit means a written authorization from the City for a third party display of a sign on public property.

**PERSONALLY ATTENDED**

Personally attended means that a person is physically present within five feet of the sign at all times.

**SIGN ORDINANCE**

Sign Ordinance means Article 33A and 33B as it may be amended from time to time.

**TRADITIONAL PUBLIC FORUM**

Traditional public forum means the surfaces of City-owned streets, surfaces of City-owned parks, surfaces of City-owned plazas, surfaces of sidewalks which are connected to the City's main pedestrian circulation system and the exterior surface of pedestrian areas immediately surrounding City Hall.

**33014 General Prohibition**

Unless a specified sign type is exempt from the permit requirement, private persons may display signs on public property only by permit. Any permit application which is denied may be appealed in the same manner as the appeal process described in the Sign Ordinance.

**33015 Signs Exempt from Permit Requirement.**

- A. Government signs. Signs posted by the City on City Property to express its own message(s) to the public; traffic control and traffic directional signs erected by the City or other governmental entity; official notices required or authorized by law or court order; signs placed in furtherance of the City's governmental functions.**
- B. Picketing. The personal carrying of signs "picketing," displaying protected noncommercial speech messages, is allowed in Traditional Public Forum Areas, except in the**

roadway when it is open to normal vehicular traffic; picketers may not interfere with public ingress or egress or free use of sidewalks or public right-of-way. For safety reasons, picketing is allowed from sunrise until 10 p.m. In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give at least five feet width clearance for pedestrians to pass by. Persons holding signs may not block the view within the clear corner area.

**3303.E.3.b 33016 Kiosk Program Directional Signage**

This Section provides for directional, event and community signage within the public right-of-way within an approved kiosk under the City's Kiosk program. It is intended to permit government owned off-site directional signs necessary to serve the community for purposes of order, direction and safety. In order to avoid adverse effects on the aesthetics of the City, to minimize traffic safety issues and to prevent a proliferation of such signs, regulations for the location, standards, number of such signs, and their approval and removal are included in this Section.

**33.E.3.b(1) Sign Standards and Structural Requirements** All kiosk displays shall substantially comply with the applicable sign design standards, program guidelines, and structural requirements. The Enforcement Officer City Planner or Economic and Community Development Director and Building Official shall review all such displays to ensure their compliance with those standards and requirements.

**3303.E.3b(2)A.Kiosk Program Regulations and Standards for Commercial and Non-Commercial Signs.**

**3303.E.b.(2)(a) Design and Location: The Development Services Director or Economic and Community Development Director Building Director or its agent shall establish kiosk displays and approve the location and construction of design of such kiosk** displays in various strategic locations throughout the City. Such design and location discretion shall only be made with due consideration to aesthetic appearance, cost, readability, traffic and public safety concerns and may include pedestrian oriented digital/electronic message displays.

**3303.E.3.b(2)c** One kiosk designs utilized throughout the City shall be on file in the Building Division. The height and design of all kiosk displays shall be subject to approval of the City in accordance with the kiosk program guidelines.

~~3303.E.3.b(2)d~~ Kiosks shall be in the public right-of-way.

~~3303.E.b.(2)e~~ Each kiosk shall have "Oceanside" and the City logo displayed in a prominent location on the sign.

~~3303.E.3.b(2)f~~ No more than eight kiosk sign panels for any person or entity is allowed within the City. A kiosk sign display shall not be duplicated on an individual kiosk. A double-sided message display shall be considered one kiosk sign display for the purposes of this Article.

~~3303.E.3b.(2)g~~ There shall be no additions, tag signs, streamers, devices, display boards, or appurtenances added to the sign as originally approved.

**Number of Kiosk Display Signs: An applicant may apply for signage to be placed within one or more kiosk displays designated by the Building Director. All applicants shall be subject to the rules, regulations and requirements placed on such signage consistent with the provisions of this Article and the City's kiosk program guidelines.**

~~3303.E.3.b(2)h~~ **Sign Removal:** Any sign placed contrary to the provisions of this ordinance may be removed by the Code Enforcement Officer without prior notice.

**Enforcement:** Non-compliance or kiosks improperly maintained shall be subject to the enforcement provisions provided in this Article and/or the Oceanside City Code.

~~3303.D.2~~ **33017 Temporary Inanimate Signs in the Public Right-of-way PRIVATE PLACEMENT ON RIGHT-OF-WAY**

**Temporary signs displaying any type of variety of constitutionally protected noncommercial speech may be displayed by private persons up to thirty days prior and five days after any official local, state, regional, or national authorized election. Such sign display by private persons is subject to a permit and the following rules:**

~~3303.d.2.b~~ **Sign Area.** The maximum allowable sign area is 6 square feet per sign **(measured on both sides.)**

~~3303.D.2.e~~ **Height.** Maximum height of freestanding signs is 5 feet.

~~3303.D.2.d~~ **Posting On Structures.** All signage within the public right-of-way shall be self-supporting and freestanding. No temporary sign shall be posted on any streetlight, utility pole, post, pole, or structure supporting a traffic control sign or

signal, fire hydrant, or similar structures in the public right-of-way.

~~3303.D.2.e~~ Safety of Placement. Temporary signs posted in the public right-of-way shall meet the following criteria:

~~3303.d.2.e(1)~~ When located in the Corner Clear Zone, the sign shall not exceed 30 inches in height.

~~3303.d.2.e(2)~~ Signs shall not obstruct a motorist's view of pedestrian or vehicular traffic, traffic-control signs, or signals, or otherwise represent a hazard to vehicular or pedestrian traffic.

~~3303.d.2.e(3)~~ Signs shall not impede a pedestrian's free use of the sidewalk.

~~3303.d.2.e(4)~~ Signs shall be securely affixed to the property on which they are placed.

~~3303.d.2.e(5)~~ Signs shall not be placed in the center of public roadway medians.

**Permit Application Requirements.** Prior to posting any temporary sign on the right-of-way, the private party responsible for the posting and maintenance of such signs, hereinafter referred to as "responsible party," shall provide the following information to the Enforcement Officer:

~~3303.D.2.f(1)~~ Application - An application shall be filed with the Code Enforcement Office ~~Building Division~~ by the "responsible party". This application shall be in a form and content as required by the Enforcement Officer. This application shall minimally include the following information:

~~3303.D.2.f(1)a~~ Identification Information - A description of the signs sufficient to allow the Enforcement Officer to identify the responsible party for the purposes of enforcement.

~~3303.D.2.f(1)b~~ Name, address, and telephone number of the responsible party.

~~3303.D.2.f(2)~~ Deposit - ~~A \$250 deposit per application is required. The deposit is refundable. Cost of enforcement, if required may be deducted from the deposit prior to refund.~~

~~3303.D.2.f(3)~~ No permit nor deposit is required for the posting of temporary signs on public property by the City of Oceanside.

~~3303.D.2.g~~ Sign Removal. Temporary signs shall be removed from the public right-of-way not later than the removal date indicated in the application.

3303.D.2.h Cost Recovery. Whenever the Enforcement Officer causes the removal of a temporary sign, the cost incurred by the City in removing such sign shall constitute a debt owed to the City by the responsible party. The City Manager is authorized to take such action as may be deemed necessary, including the commencement of a civil action in a court of competent jurisdiction, to recover any such costs.

### 33018 Permanent private Party Signs on City Property

Notwithstanding the prohibited sign types listed in the sign ordinance, the City Council may approve proposals for private parties to place permanent signs on city property or city right of way, upon finding that the proposed sign is in the best interests of the City through the promotion of City sponsored events and the dissemination of public safety and traffic messages. The City may impose conditions on the approval through the terms of the lease, contract or license. Before approving a private party sign under this section, the City shall conduct a request for proposals open to interested parties. No more than four private party signs may be placed on city property pursuant to this section. Placement of one electronic message billboard structure with two digital display "faces" or panels on city property or right of way may only be permitted as part of a legally enforceable agreement to replace two existing billboard structures, each with two billboard display faces, within the City of Oceanside. The area of a digital billboard display "face" or panel shall not exceed the smallest of the static billboard panels it is replacing. The City shall comply with the California Environmental Quality Act before approval of any lease, contract or license.

### 33019 3303.F E. Signs within the Small Craft Harbor IGNS WITHIN THE SMALL CRAFT HARBOR AREA

In addition to the sign regulations elsewhere in this Article, the following regulations shall also apply in the Oceanside Small Craft Harbor:

#### 3303.F.1 GOVERNMENT SIGNAGE/ SURFACE STREETS APPROACHING THE HARBOR.

~~Surface street approach signs should be of a distinctive character for designation of the Harbor location. These signs shall be visible day and night and located at key points within the public right-of-way of streets leading to the Harbor, with all turns clearly indicated in advance.~~

#### 1. FREESTANDING SIGNS

##### 3303.F.2a. POLE OR GROUND SIGNS.

~~3303.F.2.a~~ Major. A major pole or a ground sign shall be allowed at the two major entryways to the Harbor. The sign shall be designed to denote "Oceanside Harbor" with the appropriate directional signage. Signage of uses within the harbor area may be displayed on separate lighted panels. Non-commercial messages may also be displayed.

~~3303.F.2.b~~ Minor. Minor pole or ground signs shall be allowed at major intersections within the harbor. These signs shall be a variation of the sign design proposed for the major entryways to the Harbor. **Such signs shall use** ~~The use of a modular replaceable-unit or a translucent panel system with internal lighting, and a highly visible typeface, is recommended for these locations.~~ Non-commercial messages may also be displayed.

~~3303.F.2.c~~ Typeface. ~~A limited number of typefaces for major and minor pole signs are available for the various panels. Proprietary or specialized typefaces which have been consistently utilized by a "chain" and are compatible (i.e., legibility, scale, color) with the others in the sign, may also be displayed.~~

~~3303.F.2.d~~ Maximum height of a minor pole or ground sign is 14 feet.

~~3303.F.3~~ SITE SIGNS.

~~Site signs shall display information in a coordination of design in effort to create a more cohesive and pleasing atmosphere. Site signs shall fall within the categories of monument signs, wall signs and incidental signs.~~

~~3303.F.3.a~~ b. Monument Signs

~~3303.F.3.a(1)~~ Location. Signs shall be located at the outer face of leasehold or near the street front property line or vehicular entrance to leasehold. Signs must be located and oriented to avoid interference with vehicle driver's safe line of sight.

~~3303.F.3.a(2)~~ Maximum Quantity. One (1) per ~~business entity~~ **separate establishment** at street frontage or entrance driveway.

~~3303.F.3.a(3)~~ Size. Maximum panel size is six (6) square feet. Maximum height is six (6) feet.

~~3303.F.3.a(4)~~ Materials. Limited to wood or acceptable metals or plastics.

~~3303.F.3.b~~ 2. Wall Signs.

~~3303.F.3.b(1)~~ Location. Signs shall be located on building façade or on-site adjacent to entry of building. Wall signs shall

not be placed on roofs or windows.

~~3303.F.3.b(2)~~ Maximum Quantity. One (1) per ~~independent business entity~~ separate establishment on each street frontage and/or water frontage façade.

~~3303.F.3.b(3)~~ Size. Size and quantity must be compatible with scale of structure, but in no case can it exceed 12 square feet of panel size in one elevation (building face) or 24 square feet on all elevations (building face).

~~3303.F.3.b(4)~~ Materials. Limited to wood or acceptable metals or plastics.

~~3303.F.3.e~~ Incidental Courtesy Signs.

~~3303.F.3.e(1)~~ Location. Signs may be located anywhere within a leased parcel.

~~3303.F.3.e(2)~~ Maximum Quantity. Number of signs per leased parcel shall be as needed for directional and informational signage.

~~3303.F.3.e(3)~~ Size. Maximum of four (4) square feet for each panel size and a total of 24 square feet for all incidental courtesy signage on a lease parcel.

~~3303.F.3.e(4)~~ Materials. Limited to wood or acceptable metals or plastics.

~~3303.F.4~~ GENERAL DESIGN STANDARDS FOR ALL SITE SIGNS.

All site signs shall conform to the following design standards:

~~3303.F.4.a~~ Extensive use of wood in both sign panel and support structure ~~is desired.~~

~~3303.F.4.b~~ ~~A maximum of two typefaces acceptable to the Harbor District shall be used on all signs within a lease parcel.~~

~~3303.F.4.e~~ Display light sources should be screened from autos, boats and pedestrians. No internal lighting is permitted.

~~3303.F.4.d~~ Temporary display banners and flags require approval by the Harbor Director as to size and location.

~~3303.F.4.e~~ Boat sale displays should have consistent sign sizes and typography within a single parcel, and "false sail" signs in sailboat rigging should be in conformance with these regulations. (See Boat Sign Ordinance 72-5.)

~~3303.F.4.f~~ No more than 20 percent of the total window area for any one side shall be used for permanent or temporary sign display.

~~3303.F.4.g Temporary signs affixed to trailers or boat cradles are discouraged.~~

3303.F.4.h Where multiple uses or establishments are located within the same parcel, all signs on that parcel will use consistent design as to materials, proportions and lighting. should be of similar materials and proportions, consistently located and lighted, and of not more than two typeface styles (except for compatible regionally or nationally recognized "chain" logo/type-faces").

3303.F.4.i Lighting that creates a confusing background for harbor night entry is prohibited.

~~No lighted sign will be allowed that creates a confusing background for Harbor night entry.~~

3303.F.5. PERMITTING APPROVAL REQUIREMENTS.

Other than courtesy signs which use no electricity or special lighting, and temporary signs exempt from permitting, all private party signs in the Harbor District may be installed or displayed only pursuant to a sign permit. Any application for such a permit will be granted when the proposed sign(s) complies with all applicable laws, rules, and policies.

~~Upon application, all signage shall receive a permit if the signage is in compliance with all provisions of this Article for general signage and Harbor District signage. All signs (except for incidental signs without electricity or temporary signs) must have a permit from the City of Oceanside Building Department prior to installation.~~

## Changeable Copy/Electronic/ Digital Signs on Private Property

	Irvine	Huntington Beach	Tustin	Escondido	El Cajon	San Diego	Long Beach	Los Angeles	Riverside
<b>Process</b>	Sign Program – PC	Design Review & Admin CUP	Master Sign Plan - CUP - PC	CUP - DRC- PC & City Council	CUP – City Council	Neighborhood Use Permit	CUP – PC	Sign District - overlay	Sign Permit
<b>Sign Criteria:</b>									
<b>Sign type</b>	Criteria set by sign program	Wall or freestanding	Criteria set by master sign plan	Wall or freestanding	Same limitations as other types of signs	Wall or freestanding	Freestanding	Criteria set by sign district program	Regulations vary based on land use and site area
<b>Number</b>		1		1			1 digital in lieu of 2 freestanding		
<b>Height</b>		25 ft.		80 ft.			40 ft. (max) measured from grade of nearest freeway lane		

Sign Area	115 ft.	270 sf changeable copy - 400 sf total copy	300 sf				
Lighting intensity control devices	Cylinders, shade screen, photocell			X		X	
Light output	50 fc						
Hours of operation	6:30am-10:30pm						
Dwell time & change interval time	4 sec (min) & 1 sec (min)	8 sec (min) & 1 sec (min)			4 sec (min)		
<b>Siting req:</b>							
Location and/or Use	Along freeway and Beach Blvd	Comm. & industrial zoned parcels along I-15	Commercial & Industrial	Any business, center or convention center of 5 ac or more or of a 150,000 sf bldg.	Comm. Industrial & MF	Theaters, Schools, entertainment venues, multi tenant office, comm. or industrial complexes and amusement parks	
Lot frontage	200 ft. (min)						
Site or bldg. area (min)	1 acre or 30,000 bldg. sf						
Distance to R district	150 ft						

### Electronic/ Billboard Sign Criteria

	Irvine	Huntington Beach	Tustin	Escondido	El Cajon	San Diego	Long Beach	Los Angeles	Riverside
<b>Process</b>									
	Sign Program - PC	Design Review & Admin CUP	Master Sign Plan - CUP PC	CUP - DRC - PC & City Council	CUP- City Council	Neighborhood Use Permit	CUP	Sign District - overlay	Licence agreement between RPU and sign owner
<b>Sign Criteria:</b>									
<b>Sign Type</b>	Criteria set by sign program and Caltrans	Freestanding	Criteria set by sign program and Caltrans	Wall or freestanding	Same limitations as other types of signs,		Freestanding	Criteria set by sign district program and Caltrans	Freestanding (Riverside Plaza)
<b>Number</b>				1					
<b>Height</b>		85 ft.		80 ft.					50 ft. above freeway
<b>Copy Area</b>		1200 sf		270 changeable copy - 400 sf (max) copy area			40 ft. (max) above nearest freeway lane 675 sf		750 sf (max)
<b>Lighting intensity control devices</b>		Cylinders, shade screen, photocell							
<b>Light output</b>		0.3 - 1 fc							
<b>Hours of operation</b>									
<b>Dwell time &amp; change interval time</b>		4 sec (min) & 1 sec (min)		8 sec (min) & 1 sec (min)					
<b>Public Service message %</b>		20% min			100%	100%			
<b>Siting req:</b>									
<b>Location</b>		Within 200 ft of freeway		Comm. & industrial zoned parcels along I-15			Comm. & industrial districts	Comm. Industrial & MF	Riverside Public Utilities
<b>Distance to R</b>		600 ft							



### Application for Discretionary Permit

Development Services Department / Planning Division  
(760) 435-3520  
Oceanside Civic Center 300 North Coast Highway  
Oceanside, California 92054-2885

#### STAFF USE ONLY

ACCEPTED 1-3-12 BY AF

Please Print or Type All Information

HEARING

#### PART I - APPLICANT INFORMATION

GPA

1. APPLICANT

2. STATUS

City of Oceanside

MASTER/SP.PLAN

ZONE CH. 2A11-00004

3. ADDRESS

4. PHONE/FAX/E-mail

300 N. Coast Hwy

(760) 435-3534

TENT. MAP

PAR. MAP

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)

Amy Fousekis

DEV. PL.

C.U.P.

6. ADDRESS

7. PHONE/FAX/E-mail

300 N. Coast Hwy

(760) 435-3534

VARIANCE

COASTAL LCPA 11-00002

#### PART II - PROPERTY DESCRIPTION

O.H.P.A.C.

8. LOCATION

City-wide

9. SIZE

10. GENERAL PLAN

11. ZONING

12. LAND USE

13. ASSESSOR'S PARCEL NUMBER

14. LATITUDE

15. LONGITUDE

#### PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION

Repeal Article 33 Signs, of 1986 20, modifying Article 33 of the 1992 20 and establishing the amended text as part of the implementing document of the Local Coastal Program

17. PROPOSED GENERAL PLAN

18. PROPOSED ZONING

19. PROPOSED LAND USE

20. NO. UNITS

21. DENSITY

22. BUILDING SIZE

23. PARKING SPACES

24. % LANDSCAPE

25. % LOT COVERAGE or FAR

#### PART IV - ATTACHMENTS

26. DESCRIPTION/JUSTIFICATION

27. LEGAL DESCRIPTION

28. TITLE REPORT

29. NOTIFICATION MAP & LABELS

30. ENVIRONMENTAL INFO FORM

31. PLOT PLANS

32. FLOOR PLANS AND ELEVATIONS

33. CERTIFICATION OF POSTING

34. OTHER (See attachment for required reports)

#### PART V - SIGNATURES

SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print):

36. DATE

37. OWNER (Print)

38. DATE

Amy Fousekis for Oceanside

N/A

Sign:

Sign:

- I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.
- I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.



## NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:  
Removal:  
(180 days)

1. **APPLICANT:** City of Oceanside
2. **ADDRESS:** 300 N. Coast Highway, Oceanside, CA 92054
3. **PHONE NUMBER:** (760) 435-3534
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Amy Fousekis, Principal Planner
6. **PROJECT TITLE:** Zone Amendment (ZA11-00004) and Local Coastal Program Amendment (LCPA11-00002) amending Article 33 of the 1992 Zoning Ordinance, repealing Article 33 of the 1986 Zoning Ordinance and establishing the amended text as part of the Local Coastal Program.
7. **DESCRIPTION:** The City of Oceanside is proposing amendments to the 1992 and 1986 sign ordinances to ensure citywide regulation of signs in a constitutional manner; distinguish regulatory from proprietary sign regulations; establish parameters for emerging sign technologies (including digital display signs); and update or clarify existing definitions and regulations. Application of the proposed zoning text amendments to properties within the City's Coastal Zone requires an amendment of the City's Local Coastal Program.

**ADMINISTRATIVE DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Planning Division finds that the proposed project involves regulatory changes and would not, in and of itself, occasion land development or any other material change to the environment. Projects seeking to implement the amended provisions would be subject to separate CEQA review. Therefore, the Planning Division has determined that further environmental evaluation is not required because:

- [X] "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- [ ] The project is statutorily exempt, Section \_\_\_\_\_, <name> (Sections 15260-15277); or,
- [ ] The project is categorically exempt, Class 8, "Action by Regulatory Agencies for Protection of the Environment" per Section 15308 of the California Environmental Quality Act; or,
- [ ] The project does not constitute a "project" as defined by CEQA (Section 15378).

  
Jerry Hittleman, City Planner

Date: February 8, 2012

cc:  Project file  Counter file  Library

Posting:  County Clerk \$50.00 Admin. Fee